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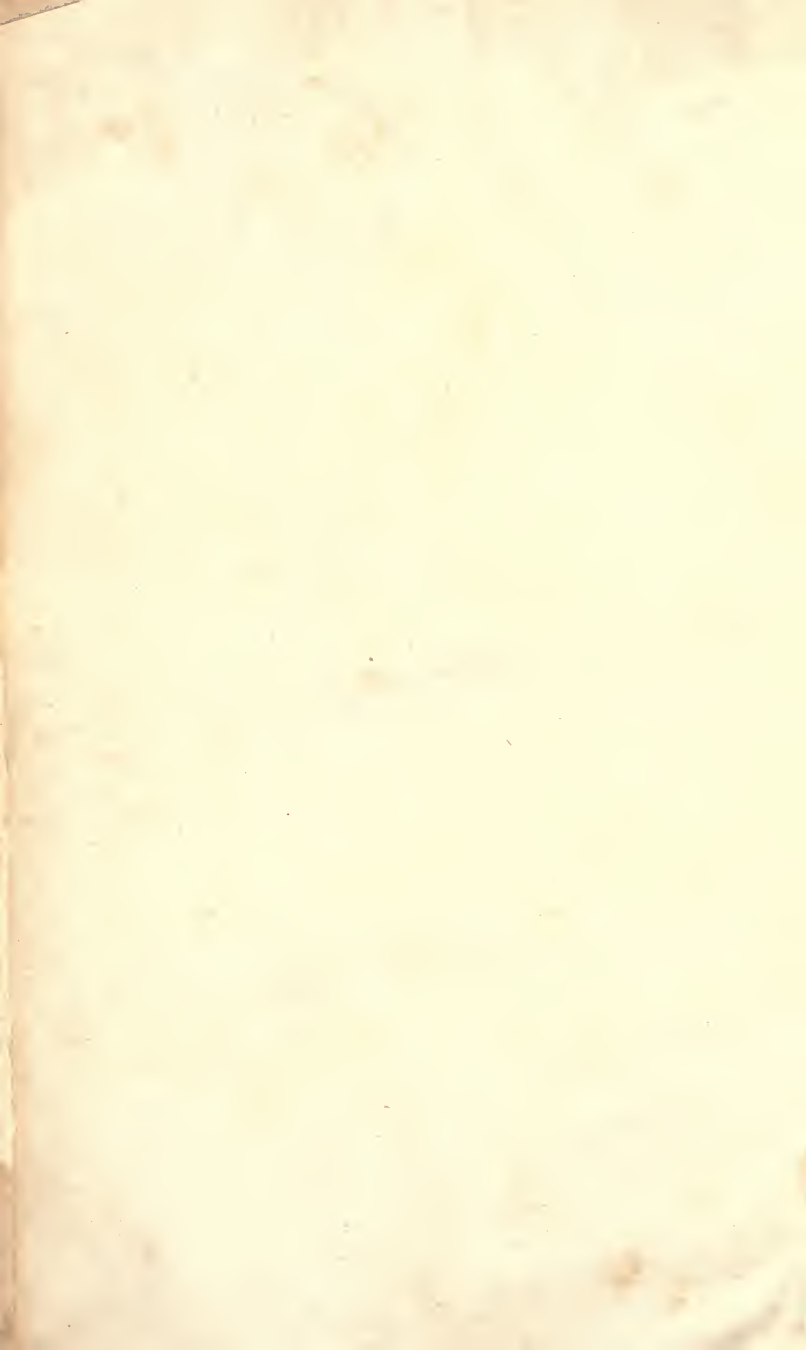


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DEFENCE
OF
THE WHIGS.

Kennedy, John P.
BY A

MEMBER OF THE TWENTY-SEVENTH CONGRESS.

NEW-YORK:
HARPER & BROTHERS, 82 CLIFF-ST.

1844.

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TO THE
WHIGS OF THE TWENTY-SEVENTH CONGRESS,

WHOSE FIDELITY TO THEIR TRUST,
DILIGENCE IN THE PERFORMANCE OF THE MOST
ARDUOUS DUTIES,
AND FIRMNESS THROUGH A PERIOD OF UNEXAMPLED
TRIAL AND DISAPPOINTMENT,
HAVE WON THEM THE APPLAUSE OF A
PATRIOTIC PEOPLE,

THIS DEFENCE

Is Inscribed,
IN TESTIMONY OF THE ESTEEM OF
THEIR COMRADE.

October 25, 1843.

To

Edw A Stanley
with kind remembrance,
from his friend

J. P. Kennedy

CONTENTS.

PART THE FIRST.

THE WHIG PARTY:

ITS ORIGIN, ITS CONSTANCY, ITS SUCCESS.

I. What is Proposed	Page 9
II. Basis of Parties.—Friends of the Executive.— Friends of the Legislature.—Prerogative and Privilege	12
III. American Whigs.—The Madisonian Platform	17
IV. An Ancient Grudge	24
V. First Instalment	33
VI. Second Instalment.—Uprising of the Whigs	36
VII. Democracy in Federal Leading Strings	43
VIII. Doubtfulness of the Whig Principles	48
IX. The Conservative Element	52
X. Contest of 1840	63

PART THE SECOND.

THE WHIG PARTY:

ITS DISAPPOINTMENT, ITS RETRIBUTION, ITS HOPES.

I. The Extra Session.—A Bank Bill.—A Scruple and a Compromise	75
II. Tylerism	90
III. Programme of the Twelfth of June.—A Shuttlecock	101
IV. Dismissal of the Cabinet.—The Cheats of Scapin	110
V. Aspiration and Inspiration.—The Manifesto	117
VI. The Manifesto.—Daniel Webster	123
VII. Justice to John Tyler	128
VIII. The Twenty-seventh Congress	136
IX. The New Democracy.—The Dictator.—The Array of 1844	147

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DEFENCE OF THE WHIGS.

PART THE FIRST.

THE WHIG PARTY:
ITS ORIGIN, ITS CONSTANCY, ITS SUCCESS.

MEMORANDUM

FOR THE RECORD

DATE: 1944

BY: [illegible]

DEFENCE OF THE WHIGS.

PART THE FIRST.

I.

WHAT IS PROPOSED.

IN the struggles of political parties it generally occurs that the purposes of the contestants are misrepresented in important particulars or misunderstood.

The Whig party, during the last fourteen years—reckoning from the 4th of March, 1829—has been misrepresented or misunderstood more than usually falls to the lot of parties. My endeavor, in what follows, will be to set this matter right.

No party ever arose in any country with juster aims or more patriotic effort, than the Whig Party of the United States. It fought the battle of Freedom in the Revolution: it has never faltered in its duty since. From the beginning of our national existence to this day, by whatever name it has been called, it has been the consistent, faithful assertor of the principles of free government. ✓

Through twelve years of continued defeats,—during which time a power in this nation, unfriendly to popular liberty, was growing every day more formidable, and the Executive, usurping the name of the Representative of the Democracy, was busily assailing the bulwarks which were built up to guard the rights of the People—the Whig party, overpowered by numbers, proscribed, for the most

part, from all share in the administration of affairs, still faithfully maintained its post and fought for Popular Privilege, with the same devotion that it fought in the gloomiest days of the War of Independence.

Its constancy and fidelity won it the victory of 1840.

The fruits of that victory were shown in the zeal with which the Whigs made haste to redeem every pledge they had given. How the full benefit of that redemption of pledges was wrested from the people; how it has fallen out that the victory has not been of as permanent and extensive good as the country had a right to expect; how it is that power has lapsed again into the hands from which it was rescued, is a problem that may be solved by recurring to the history of every cause that has been betrayed by its leader. Some explanation of this disaster will occupy a portion of the pages which ensue.

Against open foes the Whigs have no complaint to make. They meet these on the field of contest forewarned, forearmed; prepared for the strife and its incidents. But they have felt a touching grief in the destiny which has admonished them to arm against perfidy in their own camp; against an enemy nursed in their own bosom. The saying is old, but it has a melancholy appropriateness to their misfortune—There is a deeper anguish in the wound when the arrow that inflicts it is feathered from our own wing.

The Whigs have ever striven for the accomplishment of a great good to the country. It is not true, as their adversaries have attempted to make the world believe, that the hope of office or the chance of favor was the motive to their exertions. So long a war were but a weary road to preferment which might be so cheaply got, at any time, by turning recreant to the cause. Your office hunter has no great patience in a settled minority. Nev-

er was there, in truth, presented a spectacle of greater constancy under defeat, or of victory so little sullied by selfish aims. We had our camp followers, it is true, thickening somewhat in our ranks as the day of our success drew nigh. These might have been seen importunately stripping the dead. But at the first sign of a reverse they left us, and now compose the main body of that forlorn and anxious troop that call themselves *the friends* of the Administration.

It may be accounted an element of strength in the Whig organization, that these have been winnowed from the ranks to which they never brought true hearts, and to whose lofty purpose they have ever been ungenial. Experience has taught us to beware of all clamorous expectants of place. The lesson will not be lost.

In the antagonism of honest opinion there is abundant space for the embodiment of parties. Such division as springs from this source is a fair and useful topic for discussion. My aim is partly to comment upon the history of opinions which have grown up in the country regarding the conduct of public affairs. I wish to show that those entertained by the Whigs have been genuine and eminently patriotic. I do not deny that the opinions of our adversaries have been, in great part, genuine and patriotic. There are many opinions, however, set forth by our opponents and carried into the administration of the government, which are not entitled to this commendation: many, besides, that, whether honest or not, are intrinsically wrong and productive of great mischiefs in our Republic: many that have been dictated by selfish schemes and propagated to advance the interests of individuals and classes, to the detriment of the large community of the people. My design is also to point these out.

II.

BASIS OF PARTIES.—FRIENDS OF THE EXECUTIVE.—
FRIENDS OF THE LEGISLATURE.—PREROGATIVE AND
PRIVILEGE.

WE may discern in the progress of all Representative Government professing to be established on the basis of popular freedom, two parties fundamentally distinguished from each other by their views as to the nature of delegated power. These parties are more or less developed at different epochs, as the events of the day have furnished them excitement.

In English history they have sometimes been denominated the Court Party and the Country Party, but more generally by the names of Tories and Whigs.

The Court Party is chiefly distinguished as the friends of the Executive Power.

The Country Party, without being classed in the category of actual enemies to that Power, are noted for their distrust of it.

This is a division of parties which naturally grows out of the constitution of the public mind, and is as much native to our Republican government as to the Monarchy of Great Britain.

All experience has taught us that the possessor of the authority and patronage of magistracy may find it convenient to employ these resources for the advancement of himself or his friends. A knowledge of this seduces many to become the champions and apologists of the Executive in every country. There are designing men, there are corrupt men, poor men, or idle men, who hope to find, in the good will of the ruling magistrate, the means of promoting their schemes or of adding to their comforts: they become, therefore, his dependents both in opinion and conduct.

There are others, quite honest, who conscientiously believe that a Strong Executive is absolutely necessary to maintain order in the State. For this reason they also take sides with the Executive.

These two descriptions of men combine to enlist a large support amongst the people in favor of the administrative arm of the government.

Their opponents, fearing this administrative arm, and believing that the safety of free institutions is best secured by watching and restraining the Executive, disdain to seek its favor by any act of adulation or by any relaxation of their distrust. These naturally put great faith in the National Legislature. They see in the Executive the fountain of political honors, rank, emolument, consideration with the world: that it is prone to be selfish, ambitious, crafty: that it has a motive to reward subserviency: that in dispensing the offices necessary to conduct government, it may so dispense them as to gratify those who defend and applaud it: that it may convert public servants into political minions: that it may work in secret and corrupt enterprises, and gloss them over with pretences of public good. In all these attributes and propensities of Executive power they find strong motive to regard it with jealousy.

On the other hand, they see in the Legislature none of these attributes. Public Liberty is very seldom damaged by the activity of a Representative Legislature; though it is just to say that history is not without its example of a wicked phrensy in this law-making power. Such example, happily, is rare. In the main, not from the active purpose of Legislative bodies has Liberty sustained hurt: but from their tardiness sometimes, from their dissensions sometimes, and from their omissions, mischief has arisen. The imperfection of the Legislature is in its occasional failure, whether from ignorance, division or sloth, to do what the public good requires; very seldom in corrupt action or deliberate wickedness of object. It has no personal ambition, vanity or selfishness, because, in fact, it has no

person, but is an aggregate of many persons, and these of many minds. Neither has it patronage to gratify a love of making dependents. Two or three hundred representatives may make bad laws, or fail to make good ones, but they have scant motive to flatter any man's pride, stimulate any man's usurpation. The usurper always begins by turning the Legislature out of doors, knowing that whilst they are free he is not.

Their special duty is to become acquainted with the condition of the body politic: to inquire into what is done in every department: to inspect every public servant: to look into every corner and crevice of public service and learn what is doing there; and then to report all that they have seen, heard, learned. What they find out of place it is their duty to set in place; what knavery they suspect, to proclaim; what they discover to be weak, to make strong.

To this end they are called, and are, the Grand Inquest of the nation; are clothed with all power to *inquire* and *report*; are empowered to make laws to remedy what is defective, repeal what is hurtful, punish what is delinquent. Thus free Legislation is built upon free Inquiry.

Upon these grounds of favor towards Executive and Legislative Power have parties divided ever since men have practised a representative government.

The people have taken part sometimes with the one, sometimes with the other; generally as their passions have been more or less skilfully excited by the one or the other.

In the days of Charles the First the great body of the English people went with the Parliament, and stood up for Privilege against Prerogative. A turn of the wheel of fortune exhibited them, in a few years afterward, applauding Cromwell for silencing the voice of a free representation, and justifying his assumption of prerogatives more dangerous than those for which Charles had suffered. At the Restoration, the Executive Power found its chief support in the popular advocacy; and it was not long after this, that

the great champions of Privilege against Prerogative, Russell and Sidney, suffered on the scaffold, almost unwept by the millions of Englishmen whose descendants now turn to that scaffold as to the very altar of Liberty.

Looking, therefore, to the strength which these parties,—Court and Country, as I have called them,—have gained from time to time, and from their nature are apt to gain, it may be said of them that that strength depends in great measure upon the intelligence, and talent to propagate their doctrines, in the political leaders who give tone to public opinion; and that they who, from supineness or from incapacity, are content to give themselves little trouble with their political sentiments, and to take them at second hand, will still, as heretofore, find themselves ranged on the side of Prerogative or Privilege, will belong to the Court or Country party, will be Whigs or Tories, according to the accidents of the day, or as they may be practised upon by the craft of those who have an interest in giving a particular ply to the floating public opinion of the time. Let this reflection admonish us, that every citizen of a free government should study public affairs for himself, think and determine for himself.

The Revolution of 1688, famous in British history for the overthrow of the Stuarts and the introduction of the House of Brunswick to the throne, gave a prominent distinction to this division of parties. The Whigs of the reign of William the Third and of Queen Anne are notable, above all other things, for their jealousy of Executive and their faith in Legislative Power. They have done more to establish British Liberty, and by deduction from that, more to establish American Liberty, than any other political organization of modern times. I need not recount their struggles to clip the wings of Prerogative and enlarge the limits of Privilege, which give so much interest to the Parliamentary history of that time. The principle of specific annual appropriation; the restraint of members of Parliament against holding office, under the crown; the

triennial Parliament and annual meeting ; the regulation of trials for treason ; the protection of the liberty of the Press,—among many other improvements of the practice and principles of the British Constitution, bear witness to the enlightened estimate of human happiness and due appreciation of rational freedom made in that day by the Whigs.

It is not to be supposed that these men reached at once the most perfect arrangement of the sureties for civil liberty. But with great sagacity they announced the fundamental doctrines upon which that liberty has been subsequently built up. They were in a perpetual struggle to wrest from Prerogative what they deemed unsafe appendages to Executive power, and to strengthen Parliament with all the faculties requisite to render it a vigilant and effective guardian of popular rights. The Tories labored, on the other side, to impress the nation with the belief that Government could only be healthfully administered by a hand strong enough to overbear and repress what was deemed the licentiousness of the people and their representatives.

The Whig party succeeded—not in preserving their ascendancy in the councils of the nation—but in stamping their principles upon the British Constitution. Through many reverses and mischances they won success. Often baffled and turned back, always misrepresented or misunderstood, frequently derided and reviled, and but seldom in the actual administration of affairs—still the progress of their principles was onward, and they had the satisfaction to see the cause of human liberty gradually intrenching itself behind the bulwarks they had erected : even to witness this consummation at the moments when party rage and the fanaticism of political zeal excluded them from all share in the management of government—a noble homage to the wisdom and fidelity of their labors !

Not without hostility from the people, in whose behalf they had so long and faithfully toiled, was this conquest achieved. It is one degree of virtue to pursue, with steady sagacity, good ends, when all the

means are at hand and the mass of mankind look on, approve, and assist: it is a still higher degree of virtue to persevere in a good work, when means are scant and they who should be allies and partners in the endeavor, are indifferent spectators: far nobler than this to persevere when the beneficiaries of our toil are open opponents or vindictive foes. History is full of instruction and admonition to the great community of every nation, how deep is the stake of human happiness dependent upon a just conviction by the people,

First, Of what is true liberty, and

Second, Of what are the real aims and personal objects of those who climb to the head of a party.

III.

AMERICAN WHIGS.—THE MADISONIAN PLATFORM.

OUR own Revolution of 1776, which a careful student of political history may trace to that of 1688, brought to view the same division of parties. We had our Tories and Whigs, our friends of Prerogative and our friends of Privilege. Again the battle was fought and won by the Whigs.

The war of the Revolution was waged against the encroachments of Executive Power. Witness that beadroll of complaints set forth in the Manifesto of Congress declaring our Independence:

“He has refused his assent to laws the most wholesome and necessary for the public good.

“He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation until his assent should be obtained; and when so suspended he has utterly neglected to attend to them.

“ He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the Legislature, a right inestimable to them and formidable to tyrants only.

“ He has called together Legislative bodies at places unusual, uncomfortable and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

“ He has dissolved Representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

“ He has refused for a long time after such dissolutions to cause others to be elected, whereby the Legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining, in the mean time, exposed to the dangers of invasion from without and convulsions within.”

“ He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers.”

“ He has erected a multitude of new offices, and sent hither swarms of new officers to harass our people and eat out our substance.

“ He has kept among us in times of peace standing armies without the consent of our Legislatures.”

These, and others of the like character, are the grievances for which the Whigs took up arms. The purpose of that war was to rid the nation of this domineering Executive, and secure to themselves a free Legislature.

Before separation or independence entered the thoughts of our people, the contest stood substantially upon the same ground,—the Privilege of a Representative Legislature against the Executive Prerogative. It was in fact a revival of the old quarrel of Parliament with the Stuarts on the question of loans, benevolences and ship money.

Many men of the colonies in that day, whom we must admit to have been honest and attached to the

country, did not concur in this general zeal against Executive Encroachment. Many, besides, who held office under the crown, or who hoped for office under the crown, saw no danger to public liberty in the restraints put upon domestic legislation. They who hold office and they who expect it, will always be the last in any country to see danger in the Executive power.

These opponents to the Revolution principles were the Tories of that day. They were vanquished by the Whigs.

When the war came to an end, it may be said there was but one party in the country. The Whig principle was established and all resistance to it was withdrawn. The next task of those who had conducted the war, was to erect a form of government which should embody the political doctrines of the Revolution. Every man then desired to see a government so constructed as to secure the faculty of administering to the happiness of the people with the least possible hazard from Executive power.

The first general conception of a guarantee against oppression, and upon which there was no division of opinion, was in a strong Representative Legislature.

As to the amount of power which might be confided to an Executive—upon that point all the old jealousy was awakened. In all the embarrassments growing out of the old Confederation, this fear of the Executive ever stood in the way of change. In all the discussions upon the formation of the Constitution of 1787, this fear of the Executive was the chief stumbling block. I will not stop to indicate the points of these discussions. They are common history.

There were enlightened patriots of that epoch upon both sides of the question. No longer divided in opinion as Whig and Tory,—they were, nevertheless, as friends of a popular Representative Republic, divided in opinion as to the quantum of power which it was safe to trust even to an Elective Republican Magistrate.

It is impossible that men could be more honest or more in earnest than these. Then, there was a question of the conflict between Federal and State power ; —a question which is not yet settled,—though fast growing to be so.

Naturally some men's minds incline towards Prerogative, from an idea that the popular impulses require to be checked by a strong hand. A powerful party grew up in the nation upon this opinion. The same habit of thinking which made men friendly to the Federal, as distinguished from the State power, inclined their minds to the fancy of a strong Executive ; and thus it came that the Federalists were, to a certain extent, identified with the supporters of the Executive power.

Then again, naturally, and by complexion of character, many men run into extremes in regard to the removing of all restraints upon popular action ; and they fall into mischievous conclusions in that direction of opinion. The French Revolution, whose fires were discernible, even within this remote horizon of ours, witnessed some of these extremes and taught them to our citizens.

Thus a contest arose of ultraisms in our political schools ; and, for years, the harmony of public administration was disturbed, and sometimes embittered by the strife of parties, which having, in the main, no other than patriotic aims, maintained their antagonist positions without material injury to any interest in the State. In fact, being nearly balanced in power and equally distinguished in talent, they promoted that degree of watchfulness of each other which, with good reason, has been said to be a surety for the healthful administration of affairs.

In this strife the active politicians, only, took a deep interest. The great body of the nation felt secure in the conviction that the public liberty was in good hands. Some flatterers of the administration, some incumbents and many expectants of office were, doubtless, active,—as such persons always are,—to give the greatest degree

of significancy to the opinions of their party. On the other hand, some demagogues, seeking favor from the great body of electors, and lauding the people in that fulsome phrase which only demagogues will utter, and which is never employed by a man who has a true respect for the good sense of his fellow-citizens — on their side strove, by like devices, to exalt the value of party opinion. Each of these fomented division ; exaggerated the weight of their political influence ; magnified frivolous distinctions ; engendered, no doubt, much useless hatred.

But in the midst of this strife, looking on, not anxiously caring for the issue, but still watchful of events, was a large mass of substantial citizens, deeply implicated in all that concerned the prosperity of the country ; men having inheritances of good name to support ; having close alliance with all that constituted the strength, the wealth, the labor, the success, the glory of their country ; the men employed in the business of this nation, and who hoped to hand it over to their children as something to be proud of—all these stood by, caring something, perhaps, for the ascendancy of the parties of the day, but caring more that the generation to which they belonged should in no jot detract from or impair those sacred principles of human right and civil liberty which had been won by their ancestors in 1688, and still more securely knit together and confirmed by their ancestors of 1776.

Thus, in no visible array or manifest organization, but unembodied and comparatively in repose, the Whigs of this Union remained spectators of events, content to take such various interest in public measures as the passing questions of the time might excite, yet but little inclined to party agitation as long as the fundamental Whig principle was likely to sustain no detriment in the conduct of those at the head of affairs.

Such was the state of the nation toward the close of Mr. Madison's administration. There had been turbulent feeling before this, because political opinion had been passing through an exciting transition, from the

date of the election of Mr. Jefferson to the close of the war, and many hot ferments had been engendered. The calm and philosophic temper of Mr. Madison, the purity of his character, the sincerity of his patriotism, and the sagacity of his intellect had inspired universal trust,—except, perhaps, in a few Federalists, in whose minds an ancient grudge yet rankled. With this exception, a balmy peace reigned throughout our political world. The extremes of Federalism had been tempered with an infusion of democratic flavor; the extremes of Democracy had been melted in an amalgam of Federalism. Both were the better for it. Above all, the Constitution was settled; its Whig basis strengthened; and many men thought that, from that day, it was a book interpreted and certain. Truly, I think that the Constitution of the United States, as expounded and practised by Marshall and Madison, is the very Constitution of our forefathers! I desire no farther commentary: from that day forth it has been to me an article of faith: my creed therein is written.

This was the glory of Mr. Madison's administration, that it made peace between parties; that it established the true import of our fundamental law; and that it marked out the administrative policy of this people, both in their outward relations and in their domestic affairs. The Madisonian basis of the American government and policy may be regarded as one established by the almost universal consent of the country. It was wise, being the product of careful thought and just consideration of the temper and aims of our people: it was likely to be permanent, because it grew out of a calm and dispassionate state of public feeling, auspicious to durable settlements. An experience of twelve years, from 1816 to 1829, has proved it to be eminently calculated to advance the comfort, the prosperity, and the strength of the people.

First. It settled the construction and practice of the Constitution on the foundation of the Whig doctrines: this construction and practice was chiefly manifested in the high respect and confidence of the nation in the

Legislative Power, and the scrupulous adherence of the Executive to its orbit.

Second. It settled the policy of the Government. Witness these measures :

It regulated the Currency by the control of a National Bank, and, through this instrumentality, checked and finally removed the mischief of excessive State Banking.

It protected the Domestic Industry of our people, by the establishment of a Tariff of Duties specially directed to that object.

It promoted Internal Improvements in the nation, by giving the aid of government to useful enterprises which were beyond the capacity of individual States ; a policy which, if it had not been since abandoned, would have saved the country that load of State debt which has become of late almost equally our misfortune and our disgrace.

It enlarged the sphere of our Commerce and Navigation, by tendering to foreign nations reciprocal privileges of trade restricted within certain limits defined in the legislation of 1815, and in the Convention of London of that year.

It devised the plan for paying off the public debt.

It placed the public expenditures upon the footing of a strict economy.

It discountenanced and subdued all attempts to connect office with the means of political influence ; and left the public servant free from that odious inquisition into his opinions which has since made him either the victim or the confederate of spies and informers.

In short, its whole scheme of administration was national, American, liberal and honorable. It infused that sentiment into the mind of the people, and rendered them, everywhere, throughout all classes, honorable, high-minded, and patriotic.

This was the inheritance to which Mr. Monroe, and, in due succession, Mr. Adams succeeded. They conscientiously adhered to this truly republican, equal and beneficent system of administration. The consequence

was a progressive increase in every element of national happiness. Under the working of this system the nation gradually arose to a state of unexampled vigor. The havoc of the war was slowly but surely repaired. The currency, from a state of extraordinary derangement, was brought into singular purity. Manufactures and the mechanic arts were rapidly trained from a feeble infancy to a robustness almost incredible. Commerce and navigation were increased; the war debt was paid; and that series of internal improvements begun which, however they may have involved those who constructed them in debt, are worth more to this Union than ten times the cost expended upon them. They are works from which the National Treasury should never have been withheld: they are works which now belong more to the people of the United States than to the States in whose borders they lie, and for which the People of the Union are equitably and honorably the true debtors: they are works which, by a policy as cruel as it was unstatesmanlike, were ever committed to the unassisted enterprise of the States.

This is the outline of the Whig doctrine in reference to the fundamental characteristics of our government, and also of its policy.

The Whigs stand emphatically upon the Madisonian platform.

IV.

AN ANCIENT GRUDGE.

BUT for a very notable intrigue, the political repose which distinguished the era of Mr. Monroe's administration might have continued to this day.

There were many men who had grown tired of

waiting for change through that long sixteen years of Virginia domination personated in the Presidencies of Mr. Jefferson and Mr. Madison. There were, besides these, the overthrown Federalists, whose hope deferred, through these same sixteen years, had made them sick at heart. Not the wisdom of such of their leading measures as the democratic administration had adopted; not the patriotic and gallant part many of them had taken in the war; not their acknowledged abilities and brilliant services in legislative halls, had propitiated the absolute hatred of their name, which, in certain political sections of the country, still kept them under the popular ban and excluded them from office. The triumph of the war seemed only to have sealed their fate and given them over to a rigorous proscription. The nomination of Mr. Monroe to the succession was a token of another eight years' prolongation of their penance. Many fell off and joined the other side; many melted away into neutrals; many stood their ground, watchful as lynxes, and "feeding fat their ancient grudge" with the thoughts of a day of retribution, when the democracy should be coupled like hounds and the leash be held in their hands. Verily, they have watched to some purpose!

A rally was proposed, in 1815, to prevent the nomination of Mr. Monroe: a rally of all who were weary of Virginia Presidents, and of all who were weary of Democratic Presidents. The rally point was to be Andrew Jackson; the man who suggested it was Aaron Burr. Hear some words from his letter to Governor Alston, November 20, 1815:

"A certain junto of actual and factitious Virginians having had possession of the Government for twenty-four years, consider the United States as their property."

"One of their principal arts, and which has been systematically taught by Jefferson, is that of promoting State dissensions—not between Republican

and Federal; that would do them no good—but schisms in the Republican party.”—“Let not this disgraceful domination continue.”

“The moment is extremely auspicious for breaking down this degrading system. The best citizens of our country acknowledge the feebleness of our administration.”—“If then there be a man in the United States of firmness and decision, and having standing enough to afford even a hope of success, it is your duty to hold him up to public view—THAT MAN IS ANDREW JACKSON. Nothing is wanting but a respectable nomination, made before the proclamation of the Virginian canvass, and Jackson’s success is inevitable.”

“One consideration inclines me to hesitate about the policy of a present nomination. It is this—that Jackson ought first to be admonished to be passive: for the moment he shall be announced as a candidate he will be assailed by the Virginia junto, with menaces and with assiduous promises of boons and favors. There is danger that Jackson might be wrought upon by such practices. If an open nomination be made an express should be instantly sent to him.”

“If you should have any confidential friend among the members of Congress from your State, charge him to caution Jackson against the perfidious caresses with which he will be overwhelmed at Washington.”

These are disjointed fragments of Aaron Burr’s letter of 1815. They are at the fountain head of the new order of American politics.

This was the first movement of the anti-Jeffersonians to find a leader—make a new dynasty.

With the anti-Jeffersonians, that portion of the Federalists who were still militant, combined. General Jackson was applied to: a secret negotiation was set on foot. How far he acquiesced may be gathered from his subsequent conduct. This is certain, the pear was not ripe in 1815.

The Virginia junto triumphed, and Mr. Monroe, odious to the anti-Jeffersonians and odious to the militant Federalists, obtained the nomination. And so came eight years more of probation to the expectants.

General Jackson, from that hour, was the candidate of these combined forces. His position was peculiar. He had no conspicuous antagonism to any of the parties. His political opinions were believed to be of a liberal Whig cast. In regard to measures he was, in a great degree, uncommitted. Personally, he was known to be firm; he was undoubtedly patriotic; and he was reputed to be frank, open, and honest. With Burr, with Mr. Van Buren and the Federalists he had opposed Mr. Madison's second election—not for the reasons which governed Burr, Van Buren and the Federalists, but because he preferred Mr. Monroe as the better man in the crisis. This opposition was one ground of his favor with the Federalists. His letter to Mr. Monroe, January 6, 1817, is very noteworthy on this point. Read this extract from it:

“I have once upon a time been denounced as a Federalist. You will smile when I name the cause. When your country put up your name in opposition to Mr. Madison I was one of those who gave you the preference, and for reason that, in the event of war, which was then probable, you would steer the vessel of state with more energy. That Mr. Madison was one of the best of men and a great civilian I always thought; but I always believed that the mind of a philosopher could not dwell on blood and carnage with any composure; of course that he was not fitted for a stormy sea.”

General Jackson concurred with Mr. Madison's political views as a civilian. These views were Federal in many important points—that is to say, on the question of a National Bank, on Internal improvements, on the Protective policy. So far,

again, General Jackson and the Federalists were in harmony.

He was a soldier ; at that time greeted with lavish honors by all sections of the country, by all classes of society, by all political parties. He was, therefore, tolerant and full of good feeling to all men ; and especially kind to all those of the Federal party who had sustained the war, and who had gone into the ranks. The idea of proscribing a good soldier or a soldier's friend from the confidence of the administration, because he was a Federalist, was particularly abhorrent to General Jackson. This sentiment is expressed in strong language in the letter to Mr. Monroe quoted above, and the General there, in accordance with this sentiment, advises the President to dismiss party considerations and call a distinguished Federalist of the war into his cabinet.

This temper formed another bond of amity and relationship with the Federalists.

Now, with a man so endowed, so circumstanced, it was obvious that the Federalists might redeem their lost honors and even win the absolute supremacy in affairs. Such of them, therefore, as coveted office, entered heartily into the plan, and General Jackson was thus dedicated by them to the contest of 1824.

It is said that his letter to Mr. Monroe, November 12th, 1816, was, in fact, written for him by a distinguished Federalist of that day. By whomsoever written, the sentiment it utters is worthy of a great man, and General Jackson's adoption of it does him honor.

"Everything"—he says to the President elect, who was then just preparing to open his administration—"depends upon the selection of your ministry. In every selection party and party feelings should be avoided. Now is the time to exterminate that monster called party spirit. By selecting characters most conspicuous for their probity,

virtue, capacity and firmness, without any regard to party, you will go far to, if not entirely, eradicate those feelings which on former occasions threw so many obstacles in the way of government, and perhaps have the pleasure and honor of uniting a people heretofore politically divided. The Chief Magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested, always bearing in mind that he acts for the whole and not for a part of the community. By this course you will exalt the national character, and acquire for yourself a name imperishable as monumental marble. Consult no party in your choice ; pursue the dictates of that unerring judgment which has so long and so often benefited our country and rendered conspicuous its rulers. These are the sentiments of a friend ; they are the feelings, if I know my own heart, of an undissembled patriot."

This letter shows the state of feeling into which the negotiation for a Presidential candidate had at that time brought the mind of General Jackson.

With the exception of the small clique in whom the nomination originated and their confidants, this movement was a profound secret, and the name of Jackson, as a candidate, was kept out of hearing until the proper moment to make its announcement effective. In due season it was brought out. It had the aid of all the customary machinery by which volunteer nominations are coerced, and impromptu effusions of public feeling are prepared. There was first a biography written by one in the secret, and then those zephyr whispers which precede the dawn. Then the gradual dawn itself : a faint streak on the horizon, a flush, a strengthening twilight, a broad and golden aurora, and then the God of Day himself, " rejoicing as a strong man to run a race."

The other candidates were Adams and Clay, Crawford and Calhoun.

Neither Adams, Clay, nor Crawford had many hopes to indulge of support from the Federal party. They had not wooed the Federalists:—and “the old grudge,” if it alighted upon one head more heavily than upon another, was upon the head of Henry Clay. He, at least, had never courted the Federal party:—had very seldom spared it. To Calhoun and Jackson that party directed its chief favor.

Every one remembers the sudden collapse of Mr. Calhoun’s pretensions in 1823, and thereupon the amalgamated ticket of Jackson for the Presidency and Calhoun for the Vice-Presidency.—To that standard, straightway, rallied the whole body of that class of Federalists who desired to become political characters and who stood within that category of Jackson’s favor of having been friendly to the war. There was another class of Federalists in the country, whose leaders Jackson had declared to Mr. Monroe he would have hung under the 2d section of the articles of war. These, of course, did not come under the new banner.

So much for the political men of that day. There were, besides, a vast multitude of private citizens, Federalists of the old school, who, seeking nothing for themselves, having no eye to public employment, and anxious only to preserve the harmony and prosperity of the country, took sides with the various candidates, under the influence of their own personal estimate of the fitness of the men to conduct the affairs of the nation.

Now, it is worthy of observation in all this stir of the public mind,—and it is mainly to present this remark that I have hastily glanced at the character of this presidential contest—that, from beginning to end, the movement was one that rested solely upon questions of personal predilection, and in nowise involved any question of constitutional doctrine or system of political measures.—All stood, at that day, upon the Madisonian Platform; none more distinctly upon it than General Jackson.

Whether for Adams or Clay, for Crawford or Jackson, the country hoped to see the measures and the doctrine of Mr. Madison and Mr. Monroe left unchanged;—not only left unchanged, but promoted, continued, made permanent by all Legislative and ministerial concurrence. I will not say this desire was universal, because we had some few abstractions then such as we have many now: there were quips and quillets then, and fancies in some quarters;—but the broad, good, common sense of the nation spoke from the tongue of a huge majority in favor of the Madisonian system. Thus it was that through that contest the Whig spirit of the nation was still unembodied:—not unexistent, for it lived as vividly then as at any era. But there being no apprehension of assault upon it, no motive to give it an array, no occasion for it to utter its voice, it dwelt in its private homes, and amongst our household gods, as a guardian genius which was not to become outwardly visible until the country's invocation should conjure it up to the stern duty of defence. Thus, too, it fell out that multitudes of Whigs gathered to the support of Jackson and Calhoun, confiding implicitly in the conviction that, in the character of General Jackson, they had every guarantee that the purity and the predominance of our free institutions would be preserved.

There were many warnings against this confidence. Those who knew General Jackson best affirmed that there was danger in his temper, in his unskilfulness and incapacity for civil station, in his personal partisan habits, in his stern self-will nursed in camps and hardened by the universal spirit of assentation that filled his atmosphere of command. That his deficiencies would necessarily render him dependent upon those who had the craft to guide him, and that there was danger,—as Burr, who was well acquainted with him, expressed it—he “might be wrought upon.”

To all such forewarnings little heed was given. They rather stirred the friends of Jackson to a greater trust in him, because much calumny was detected and exposed in the revilings of political adversaries. And naturally, thereupon, these warnings were attributed—as in part they were justly so attributed—to political malice, or were set down to rivalry.

General Jackson's defeat in the House of Representatives in 1825, brought a new element to his support. The public ear was filled with stories of intrigues behind the curtain ; and as the truth could not be come at,—for truth in such matters is never found until what may be called posthumous history clears it up—the people solved the problem of the defeat by a political postulate, which, whether right or wrong,—and that is yet a question of debate—was altogether sufficient to elect General Jackson four years afterward, by a large majority. That postulate was that the House of Representatives, when put to the decision of the Presidency between three or more candidates, should choose him who had the greatest number of popular votes. In other words, that the choice should fall on the plurality candidate : which postulate, if it be true, would seem to make the ceremony of a vote in the House of Representatives, a mere ceremony.

However, so it was,—and General Jackson became President on the 4th of March, 1829.

V.

FIRST INSTALMENT.

I AM not so confident as to affirm that if no secret movement had been made, in 1815, to bring out General Jackson against Mr. Monroe, by the anti-Jeffersonians and the grudge-bearing Federalists, General Jackson would not have been ultimately nominated, and perhaps elected. On that point I am not concerned to speculate. But I do remark that that secret movement brought him within the attraction of influences to which the country is indebted for the larger share of its recent sufferings.

Burr selected Jackson to break down the Jeffersonian dynasty. The Federalists selected him partly for that purpose, but chiefly because he was known to possess an ardent wish to see the old party lines destroyed and the Federalists of the War brought into the view of government. They knew that his popularity, won by great military achievements, might be made a sure card with the majority of the nation. It was a brilliant piece of pyrotechny, which it was only necessary to touch at the right season to produce one of the most dazzling displays that the country had ever beheld. But great judgment was necessary to find that right season. Obviously it was not in 1815, when Monroe, an old soldier of the Revolution, was in the field. That was another piece of pyrotechny, which stood in case to be let off first. The interval of Mr. Monroe's eight years was employed in preparation for the impromptu of 1823. In that interval the letters I have heretofore quoted were written, and published in the newspapers: not written *by* General Jackson—rumor has always said—but written *from* him. Written by those who enjoyed his confidence, and who felt an interest in presenting his tolerant opinions in party matters before the world, and adopted by him as true

exponents of his own sentiments, which at that time, doubtless, they were.

These letters drew especially the Federal eye upon him, and carried, in the end, a large number of the subtlest, the skilfulest, and the most aspiring members of that party into close communion with him.

Now mark the grouping around General Jackson in the canvass of 1824. On one side of him, sitting close to his ear, an active, astute, keen-sighted, highly educated bevy of politicians, with a long hatred of the Democratic rule festering at their hearts, with a heavy score of notched revenges filed in their memory, with wrath to plan, and talents to do any amount of mischief on their enemies;—these sitting there favored and confidential advisers of that strenuous man, whose power only needed skilful direction to render it overwhelming. On the other side of him, a host of young officers and companions in arms, who had shared in his battles, and had become identified with his fortunes: many of them needy, all ambitious, covetous of distinction, subservient to his will, alert, brave, restless, full of capability, and ready by all means,—by persuasion, by influence, by bustle, and by brawl,—to propagate his ascendancy wherever it might be questioned. Then all below him, filling a huge space, that mass of men whose numbers cannot be counted, who, in every country, are the flatterers of military renown, and who cannot conceive any duty to the State, or any contribution of service, as worthy to be compared with military duty and service: that great mass, stirred by patriotic impulse, but ever most apt to fall into the extreme of an excessive admiration of heroical achievement, permitting that sentiment to preclude all doubt of other capability, silence all distrust, refuse a hearing to all invocation of inquiry.—I need only say, Andrew Jackson was, at this time, rampant on more than ten thousand sign-posts. What heraldry affords such a blazon? What record of a popular apotheosis like this? What was needed to bring this sentiment, so painted on the sign-post, into mighty and resistless ac-

tion but a nomination, a canvass, some flowing rhetoric on the stump, some artful shedding of printer's ink ?

These were the surroundings of General Jackson in the canvass of 1824. In addition to these were many quiet, thoughtful citizens—a very large number—who had great faith in his peculiar honesty of purpose, in his love of country, in his judgment of manly men.

When the time came this mass was put in motion. That it failed in 1824 was no fatal omen. The pear still was not ripe. The combination, even then, was the strongest that was in the field. The disappointment of 1824 only whetted the edge of appetite. The belligerent Federalist thenceforth became more belligerent. The gentlemen of the "bilbo and buff" began anew "to stride, swear, and swagger;" and the great multitude raised one loud and long shout of exhortation to another trial. That trial was successful;—much to the delight of certain of the old Federal party; much to the delight of the officers of 1814, now growing gray, and of those of the Seminole war, still young; and much to the delight of all those who look to the sign-posts—no very bad standard of judgment—for a true record of public worth.

General Jackson could not but feel, in 1829, that he owed a great debt of gratitude to the Federalists. They took care that he should not forget it. They crowded round him in the first moments of his success; took possession of his ear; told him who was who, and what was what; insinuated themselves into his confidence, and, finally, became inducted in the choicest offices of the government, each according to his quality and pretensions, from the chief cabinet station down to the chief tide-waiter in the custom-house—new tenants in strange places! And thus did it come to pass that, after thirty years, these captives of Babylon were restored to their ancient seats. This was the payment of the first instalment of "the ancient grudge."

VI.

SECOND INSTALMENT.—UPRISING OF THE WHIGS.

THE payment of the second instalment was a different thing. The first was the giving of alms—a few crusts to a few sturdy beggars. The second was an incubation of curses. Wo worth the day that saw the alighting of that Federal Vengeance upon this land!

General Jackson had come to the Presidency in masquerade. The people had known him as a soldier, frank and bold. As a civilian, as a statesman, they knew not much of him, except that he had shown himself in the Senate a friend to the Whig measures, internal improvements; and Tariff, and no enemy to a National Bank. In all other points of qualification they took him upon inference from the capacity he had displayed in war, and from the direct representation made of himself in the sundry letters to Mr. Monroe and others, and such documents as had been put forth under his name;—all which letters and other presentations of himself were, at that time, believed to be genuine. They were not genuine, but, on the contrary, simulated.

Now, General Jackson, in the beginning of this Presidential movement, was truly honest in his estimate of himself, and expressed a natural surprise that he should be thought a suitable man to be made Chief Magistrate; and, truly, this diffidence of his in that day, is the most genuine proof of his fitness to be President which may be remarked in the history of the event. If that sentiment had not grown weaker, and in the end come to be entirely obliterated, he might have been all that the Country expected of him,—an earnest, faithful and wise Magistrate.

But as the time came round, and improbabilities were changed into probabilities, and every day gave him new proofs that his chances and hopes were strengthening toward certainties, he submitted himself more and more to that guidance the policy of which was to conceal and misrepresent him. There was a *cordon sanitaire* drawn around him, or a *cordon taciturne* rather. He was in quarantine; and all that came to him, and all that went from him, came and went through an official: as to all true exhibition of himself, he was a man forbid. Others wrote for him, spoke for him, acted for him. It was a candidacy in commission, vicarious, and seeming what it was not.

General Jackson was not an educated man. He knew little of principles of government, especially of free government. But he was a shrewd man, with strong natural sagacity, of a domineering temper, of resistless will, and like Sir Anthony Absolute, "no one more easily led when he had his own way." His fortune in this Presidential canvass presented him a visible profit from dissimulation, and he became the most cunning and effective dissembler of these modern days.

There sat, all this time, "squat by his ear," that toad of Federal Vengeance whispering the payment of its debt in such instalments as time should bring. What leprous distilment of ancient hate was poured into that ear, we shall read in the annals of ten years of such mischief as this land has never before felt.

The Inaugural was a fair and honest paper, modest, patriotic, expressing sound Whig doctrine.

"I shall keep in view the limitations of Executive power:

"I shall not confound State powers with those granted to the Confederacy:

"I shall promote a strict and faithful economy:

"By a proper *selection* of the subjects of impost, the interests of agriculture, commerce, and manufactures shall be equally favored—exception being made for

the *peculiar encouragement* of products that may be found essential to our national independence :

“I will be friendly to internal improvement and the diffusion of knowledge, as far as they can be promoted by the constitutional acts of the Federal Government :

“I will give heed to the correction of those abuses which have brought the patronage of the Federal Government into conflict with the freedom of elections.”

There is a summary of the Inaugural.

Here, in this first utterance of General Jackson's administration, was the old Whig jealousy of Executive power soothed and conciliated.

Now, read the Message to Congress that followed this paper—8th of December, 1829.

See what promises there of curtailing Executive power. First, the proposition to limit the President to a single term : then, the old Place Bill of William and Mary,—the Whig measure of 1692,—brought to view by General Jackson himself, in the recommendation to restrain the President from appointing members of Congress to office. Then, a solemn abjuration of all doubtful powers, and a reference of all doubtful questions to the people. Then, rigid accountability of public officers and punishment of all defaulters, and dispensing with all useless offices.

So much as to doctrine.

As for measures,—

First, A Tariff that should place our own manufactures in fair competition with those of other countries.

Second, The distribution of surplus revenue for “the improvement of inland navigation and the construction of highways in the several States.”

Third, A National Bank founded on the credit and revenues of the government.

These were the first enunciations of the Jackson administration,—the published chart of its voyage. Add to this formula that famous declaration in the message of December, 1832—“It seems to me to be our true policy that the public lands shall cease, *as soon as practicable*, to be a source of revenue”—and what remains

behind this sum of doctrine and measures to make up the epitome of Whig principles?

This was Whig Jacksonism in the innocent days and youthful prime of that fearful administration. What wonder that, in 1829, the country was quiet and full of joyful anticipation!

The odor of these promises had scarcely faded from the breath that uttered them, before a most disastrous change came over all things. I doubt if history furnishes a stronger testimony to the instability of human hopes than in this very instance of General Jackson's promises and performance. Never was the faith plighted in wooing more slighted in wedlock; never was husband more unlike lover—than the faith plighted by Jackson seeking office was slighted by Jackson holding office; than the hero of Orleans firmly seated in the Presidential chair was unlike the same hero when clambering to it.

Straightway we had loud and peremptory assertion of Prerogative against Privilege:—not made with qualification and modest reserve of conditions; but made in boldest amplitude of claim.

Straightway we had the kingly Veto hurled, like Jove's thunderbolts, against all contumacious law-makers, representatives, dissenting people.

We had unblushing exercise of all doubtful powers that in any time before, or by any political party, had ever been called doubtful.

We had defiance, vituperation, reproof of the Legislative Power, as an insolent meddler with the royal prerogatives claimed for the President.

We had contempt for all highest judicial decision on the import of laws, and proclamation that all laws shall henceforth be executed as "I understand them"—or not executed, if I shall judge them unconstitutional, at my sovereign pleasure.

We had that notorious pretension—"I am the Executive—all officers are my officers and responsible to me only, and not to you, the Legislature;—I have commanded them not to answer you, but me."

✓ We had that very ominous and significant claim, "the President is the direct representative of the American people"—and the corollary from it, that the representative of the *whole* people was not to be molested, inquired after, impertinently inspected by the representatives of fragments of the people.

Has any one forgotten Napoleon's interview with the Deputies when he came from Leipsic in 1813?—"You are not the representatives of the People,—you are only representatives of the Individual Departments. But you seek in your address to draw a distinction between the Sovereign and the People.—I,—I am the only real Representative of the People."

We had that old Whig measure of 1692,—the Place Bill, as it was called in that day—General Jackson himself having revived and recommended it in his message, as we said,—we had this measure thrown to the winds, and members of Congress appointed to office in greater numbers than had ever been practised before by any President:—by all former Presidents put together, perhaps.

We had announcement of the President for a second term, and strenuous effort to obtain it by all manner of bringing of Patronage into conflict with the freedom of election.

We had organized party action against another old Whig measure, famous in English history, in the struggle of Privilege against Prerogative—the bill to disable officeholders from active interference in elections,—which was introduced into the Senate by the Whigs, and most diligently opposed by the Administration.

✓ Then, we had pocketing of bills when majorities of two thirds were ready to pass them in spite of the Veto.

✓ We had Removals of Deposites when Congress had resolved they should not be removed; and denial of the right of Congress to take the Treasure from the control of the Executive;—hand that held the sword, claiming to hold the purse.

We had, consequent on this usurpation, Removals

of High Officers of the Treasury and Cabinet, because they would not do what Congress told them they must not do.

We had blind and infuriated demolition of the Bank,—for the sake of a “better currency!”—We had the building up of some half thousand paper-breeding, high-pressure, thimble-rig Banks, strown from Passamaquoddy to Opelousas, flinging their windy missiles over the land, “thick as autumnal leaves in Vallombrosa:”—this too—for the sake of a “better currency!”—These half thousand, with each a President, a Cashier, a dozen or so Directors, a dozen or so Clerks; every president, cashier, director, and clerk having a cousin at least; and then a most commendable Seventh Ward Bank spirit of compliance!—with many new mouths to be fed, with many millions of new speculations to be fostered, with many millions of old insolvencies to be patched up;—with the Treasury recommendation besides, in the foreground—“accommodate the People with the Public funds:”—All this, too, we had—for the sake of a “better currency!” Which better currency, of course, it brought us!!—And, hard upon all this, we had Specie Circulars and Hard Money. And then came most pathetical winding up of all this queer history, in sanctimonious sermons leveled against the wicked Whigs as Rag Barons, and patrons of the abominable abomination of Paper Money!

We had war against the Tariff; war against Internal Improvements by the Federal Government; and most fatherly advice to the States to spare not in making all manner of improvements themselves;—which advice the States,—being most loyal and in good hands—for the most part, thankfully received and obeyed to the letter.

We had war on the scheme to take the Public Lands “as soon as practicable” away from the revenue of the Government and to give them to the States to whom—as, in old time, all confessed,—they belonged, and for whom,—it was a common opinion which neither party was once bold enough to deny,—they were held in

trust. On this an active and unsparing war:—a war to the extent of pocketing—usque ad loculum—with supererogatory veto besides.

And then, for Economy and Retrenchment;—for strict accountability of Officers, and condign punishment of Defaulters—what in the vocabulary of the English tongue is the *reverse* of all this, have we not had!

Why should I recall that sad history which furnishes the particulars of this long catalogue of broken promises? The visible scars of commerce, agriculture and manufactures are yet vivid memorials of these broken promises.

I have brought these incidents to view for no idle purpose. It is to show that the career of General Jackson's administration revived every cause of contest which had ever embodied the Whigs in past times. It exhibited in terrible proportions that old phantom of Prerogative shaking his dart against Privilege—a phantom first, and then a Devil—against which every Whig antipathy that resided in an American bosom was sworn to do eternal battle.

Who instigated these wayward freaks of authority? There were cunning Greeks that had entered the citadel in the Horse's belly, and who taught the people of our Troy to worship the Horse-God himself?—The Grudge was in the full progress of satisfaction. The second instalment was a paying.

The year 1830 witnessed the new embodiment of the Whigs. From that day the rally bears date. Thousands and tens of thousands of Whigs hastened from the quiet of their long retirement, to raise again their honored banner to the breeze, and to seek the fellowship of a new war in behalf of Privilege against Prerogative. Speedily they grew to be a mighty host. Assuming their ancient name, renouncing all other, they planted themselves in robust opposition to that Executive, which, misadvised by treacherous friends and intoxicated by its almost immeasurable popularity, had dared to revive the old quarrel—had dared to set

itself above that cherished Legislative power upon which our Whig forefathers had reposed as the surest defender of Free Government.

Sudden invasion by a foreign foe could scarcely have given more alacrity to their rising, or stimulated the Whigs into more rapid array, than was witnessed in this glorious impulse of patriotism. Eternal honor to the men who reared the Whig banner of 1830! How many standing, until then, on terms of friendship with Jackson—nay, of admiration even—having chance and opportunity, if such had been their wish, to gather preferment and official emolument from him—how many of these parted from him, then, forthwith forever?—Was there ever such falling off of bold and honest men from the train and following of a conqueror before? In the very midst of his triumphs and palmyest day of his power, they left him:—left him, not to indulge in the inglorious ease of neutrals, but to contend against him and his overwhelming and impetuous partisans on every field. They left him, resolved unceasingly to strive in the unequal conflict, until the obsequious fervor of the times should be sobered into a cooler mood, and the genuine American spirit of jealous Liberty should, as inevitably it would, rise again in the breasts of the nation to sway and direct the public judgment.

The embodied Whigs of 1830 bided their time, and found it in the memorable contest of 1840.

VII.

DEMOCRACY IN FEDERAL LEADING STRINGS.

THE Federalists, as a party, have been charged with leaning to a too strong organization of the Executive.

In regard to many Federalists that charge is untrue.

In regard to the grudge-bearing Federalists it is almost universally true. These men in old time affected fears of the permanency of our system from the predominance of popular power ;—in other phrase, from the power of the Legislature. They were, according to our scale of things, friends of Prerogative as against Privilege : were our Tories ; adverse to our Whigs.

Their long, compelled abstinence from share in government affairs whetted the edge of these opinions in dislike of Legislative Supremacy : the more so, as the Legislature, for a long period, was under the control of their opponents.

When General Jackson raised that long embargo which had been laid upon their hopes, and opened the gates to their admission, they rushed tumultuously into his antechamber ; filled his closet,—eager and starving men, with hearts in nowise softened by the weary training of their adversity ; with inordinate craving for Power and Place ; with inveterate purpose to counsel their patron to high Prerogative Doctrine.

I will not say that *all* who came, or were called, to General Jackson in those days, came with these passions or strove to imbue him with these opinions. There were some honorable exceptions : men of conscience, of high order of intellect, of ardent patriotism, of sound Whig views among them. Such men gradually fell off as the imposture of the new era opened upon them. They even expostulated with the Chief, and sought to moderate his excess : fell into personal dissension with him and his more influential advisers. To their discretion, perhaps, we may attribute the self-denial and liberal tone of some of the earlier messages of the administration. Finding the President's policy ungenial, they fell off rapidly. Not one remained to witness the end of his term. The others stayed behind, faithful to their fixed resolve to take all office that could be got, and to flatter the Executive into every dangerous extreme of power which the popularity of the Chief might bear. They were marvelously successful. Their success is a living record of their diligence.

While they filled the mind of the President with pretensions more than monarchical, they amused the people with promises more than Democratic. Autocracy in substance was varnished over with a transparent wash of Jacobinism in profession. Ready tools were at hand to mould public opinion into whatever shape best suited their views : dextrous and subservient men who were hired for a price. Whatever came from headquarters came ostentatiously as from the infallible Democratic Oracle. Under these influences, the administration of General Jackson, professing to be Ultra Democratic, became imperceptibly, but speedily, almost regal in its power—taking the admiring and too confident country at unawares.

Every militant Federalist—by which I mean, especially, those of “The Grudge”—straightway got into office. Scarcely one escaped reward. Their name was Legion. They became popular declaimers on the peculiar virtues of Democracy, and took the stump—the noisiest and most authentic of Democrats : lent their aid to the organization of “The Party :” were leaders of County, District, and Town meetings ; chairmen of the Committee ; chief paragraphists ; chief movers of resolutions ; chief contrivers of whatsoever canvass ; and at last—after some useless blushings and awkward displays of coyness—chief denouncers of all opponents of the General as Federalists,—Blue Lights—Hartford Conventionists !—when the smoke of this *feu de joie* cleared away, the *older* Democrats rubbed their eyes, and found the best offices everywhere in the hands of these *abler* Democrats !

It was a singular sight to behold. Not less singular was it to see how docile, how passive under their new leaders, became the good-natured Old Democracy—such at least as wore the Jackson colors :—gentle “an it were any sucking dove.”

I think the elder Adams made some such remark as this—at least to this import, for I do not remember his words, and would rather express it in my own :—When a Federalist, toward the decline of life, turns Jacobin,

for the sake of preferment, we shall have occasion to note two things: First, a more adroit and effective demagogueism than may be developed in any other species of demagogue whatever: Second, we shall find a man who is very soon thereafter to have a high place, both in rank and emolument, as a Democrat; who will jostle many honest and simple Democrats out of the way; and who will afford the best conceivable specimen of that natural character which is made up by the meeting of both ends—an aristocratic Locofoco.—This last clause Mr. Adams would undoubtedly have added, if Locofocoism had been invented in his day. But at that time Lucifer had not got so up in the world—had not made such matches.

By such teachers and teachings, General Jackson—a most apt and willing scholar—became, of all Presidents, the most distinguished as a High Prerogative President: of all Presidents, the only one who had systematically endeavored to invade and humble the Legislative department of the government.

Is it to be marveled that when his administration became so imperial in its doctrine; when the great multitude of his supporters fell into such blind toleration of him and his pretended Executive rights; when such trenchant blows were dealt at the old Representative Legislative Privilege—the Privilege of the People; when the Journal of the Senate was blotted at his bidding, and proceedings expunged from the record, by an act scarcely less arbitrary than that of James of England, who tore away the offensive leaf from the Journal of the Commons with his own hand; when the odious Veto was conjured up from its dead sleep, or, from an exanimate body, was made a living, mischievous thing; when numbers of the people had sunk into such pliant partisans as to strike against their own rights; when, with all our present experience, such wretched cant could be preached and endured, as that the Veto was an invaluable Conservative Principle to save the people against themselves, against their own folly and incapacity,—to save them by interposing the

will and command of a Chief against their, the People's own will and command, as matured and uttered through their own chosen organs, their Representatives:—Is it to be marveled, when such things were witnessed, such things heard and vindicated on the public rostrum, in the Senate House, read in the Press, and applauded for political wisdom by supple Legislators and congregated hosts of obsequious worshippers—that the sturdy old Whig Spirit of 1776 should again kindle its fire on every hill and in every valley where a friend of freedom had ever pitched his tent?

Grievously has the nation expiated the idolatry which persuaded them to endure these innovations upon the principles in which our Republican government was established: is even yet expiating it. What tribulation, and disaster have fallen to our lot?—With God's bounty thrown lavish over our land; with all needful resource of happiness and strength; with brave, strong men fit for all service; with an upright and intelligent yeomanry—such, as a better have never been bred on any soil—what has been our doom? Let any man calmly tell it over. Poverty, debt, bankruptcy, official default, faction, discouragement in all kind of labor, obstruction of the channels of industry, suspected faith, repudiation—Dorrism—what evil in the magazine of evils is left behind? All this in the bosom of a frugal, honest, thrifty, Christian country!—Fatal mischance of unwise government!

Truly has that looked-for day of evil retribution come, when “the Democracy” have been coupled like hounds and the leash held in Federal hands!—day long prayed for, now enjoyed by many.

VIII.

DOUBTFULNESS OF THE WHIG PRINCIPLES.

IT was a poor device of the enemy to complain, in 1840, that the Whigs were a party without principles. Their principles are written in that long history of which I have made but a brief abstract. Every man in this nation, who had given his mind to public affairs, was aware that the Whig party was reorganized in 1830, as in 1776 it was organized, to resist Executive encroachment. All men have not fully weighed the import of those public transactions to which I have alluded, and taken them to heart as the American heritors of Anglo-Saxon liberty should:—else there would have been a universal flocking of all true Republicans to the Whig standard. No candid and sincere lover of rational, republican liberty, I affirm, can contemplate the encroachments of Executive power, which we have witnessed in the last twelve years, without a resolute revolt in his heart against that whole system of political domination by which these encroachments have been compassed. That there was not such universal revolt may be set down to the artful engendering and skilful control of faction whereby men's passions have mastered their judgments.

It was a shrewd device of the enemy, in 1840, to strive to compel the Whigs to put the issue of that conflict upon this or that single measure of legislation: to drive them off the broad platform of the great fundamental Whig doctrine—the assertion of the Representative Privilege against the Executive Prerogative—and crowd them upon the narrow stage of one question of the day—a Bank.

✓ The Whig party were embodied with two grand aims.

The first, and immeasurably the greatest, was that which we have presented, namely, the reassertion of the fundamental doctrine of the Revolution of 1776: the protection of this nation and its posterity against the imperious claims and mischievous precedents made and established by General Jackson and his partisans, to the enlargement of Executive and the diminution of Legislative power.

To this end, the Whigs contended,

For the single Presidential term:

For the Reduction of Patronage:

For the Separation of the Purse and Sword:

For the rigid supervision of all Executive officers by Congress:

For free Legislative debate and Legislative comment on the conduct of all public officers:

For the non-interference of Government officers in the elections; and

For the modification of the Veto Power.

These were all pervading, paramount questions. The Whigs of the Union were united upon them to a man. They had battled for them, in and out of Congress, ever since 1830. The whole nation understood how these questions were identified with the Whig party. No man wanted a manifesto in 1840 to apprise him that these were fundamental, essential and absorbing questions in the Whig movement. They had been proclaimed through every organ of Whig sentiment, in every form of iteration, for ten years. In importance, they were infinitely above every question of mere policy. They were organic, belonging to the structure of the government. They concerned our posterity as well as the present generation. They belonged to the perpetuation of free Republican government, and the handing down of our institutions to our children as we received them from our fathers.

The second aim of the Whig embodiment was to relieve the country from the evils of bad legislation with which it had been afflicted by the party in power.

This was a purpose involving ordinary measures of

legislation : a purpose of policy, of expediency, depending, in great degree, upon the incidents and occasions of the day ; and subject to be influenced in some degree by local and temporary views.

In this field, although a great and surprising approach to unanimity prevailed among the Whig party, —considering the different impressions of sectional interest natural to so broad a surface as that covered by the States of the Union—yet entire consent of opinion, in reference to all measures of relief, never was expected. Nor was it asserted to exist. The leading measures proposed and advocated were,

A Protective Tariff,

Distribution of the proceeds of the Public Lands,

Improvement of the face of the country by Roads and Canals,

Regulation of the Currency through a National Bank—and

Reduction of the Public Expenses.

On these measures, it may be affirmed, nine tenths of the Whig party were unanimous. In regard to some of them, a small number, it is true, were found dissenting.

It is well known that the prejudices of Southern opinion upon the Tariff question, which equally prevailed among the Whigs and their opponents, had enlisted a portion of the Southern Whigs against the Protective System, and, as connected with it, the question of the Distribution.

A still smaller division of the Whigs have opposed a National Bank.

It may be a question for metaphysicians to divert themselves with,—to what extent are these small dissenting fragments of the Whig party entitled to be called Whigs—but it will never be one of doubt, while those fragments concur in the great and primary object of Whig organization, that their attachment to the Whig party is worthy of the praise of an exalted patriotism,—the more exalted as it consents to waive and forego its wishes in regard to the compara-

tively minor questions of policy, for the sake of the graver and more enduring principles of free government which it finds in jeopardy.

These divisions of opinion among the Whigs were never secret, nor desired to be made secret. There can be no better proof of the integrity of a party than such tokens of its independence as are afforded by the frank and open avowal of dissent where unanimity does not exist. Such dissent presents no other question than this—Is the dissenting point of sufficient preponderance to overweigh other motives to concur? If not, the concurrence may be sincere and effective.—It has been so in the contest ever since 1830. All through that contest the Whigs have had occasion to feel that, in the brotherhood of their Southern friends, they have derived all the aid and comfort to their cause which a generous gallantry and the purest love of country could bestow.

Could it be said that the Whig party had no principles because it did not choose to cast the issue of its great contest upon these minor questions, wherein some dissent existed, rather than upon those broad doctrines where all were united? Was it not, as I have said, an ingenious stratagem of the enemy, when he sought to drive us into the narrow fold of these questions of expediency, while we stood already behind the bulwarks of high political rights? Should we not have been laughed at as shallow simpletons if we had crept into such a gull trap?

As we did not choose to hearken for advice to the enemy and make him the issue he desired, does not every one remember how assiduously he set about making it for us? Was there a forum in 1840, a bar-room, a cart tail, a stump rostrum,—was there a conventicle of quidnuncs, a street meeting, or a country gathering of our opponents in the whole canvass—nay, was there any such in any previous time of the ten years before, that the burden of the charge against the Whigs was not that their great purpose was to establish a Bank, make a protective Tariff and distribute the pro-

ceeds of the lands? Such universal consent of opinion as to the Whig designs, surely furnished no excuse to those who made the accusation, that we had left them in the dark as to our principles or measures.

For our principles and measures we gave them an open history of ten years' active labour. In that history, written on every page of our public journals and proclaimed in the trumpet notes of the most eloquent men of the land, they might read and did read, better than in any manifesto, what we aimed at and what we meant to fight for. It is the sheer hypocrisy of your scurvy politician to affect not to see what was so easy to be seen:—so much intended and contrived to be seen. And miserable cant was it, in that day of 1840, to complain that the Whig army came into the field bannerless and objectless, or having no written motto on their banner and no avowed object in their war.

Our principles then, as now, were known at every fireside in the Union.

Is it necessary we should make Proclamation now, of what we fight for in Forty-Four?

Does any man want to know what the Whigs are aiming at?—

In earnest?

I opine not.

IX.

THE CONSERVATIVE ELEMENT.

✓ THE Veto Power has grown, in the last twelve years, to be a most formidable and overtopping branch of the Presidential Prerogative. It is, in the late practice of the Executive, dangerously disproportioned to the other powers of the Constitution. It is what the authors of our government never designed it should be :

what indeed they fought against and would not tolerate in the British-Crown while we were yet colonies. The oppressive exercise of the Veto, as I have heretofore said, was a chief cause of the Revolution. In the latitude claimed for it it is unrepresentative, and especially offensive to the scheme of free government as understood and maintained by the Whigs. The modification of this power has consequently become a distinguished purpose in the Whig action.

It is true it was not unadvisedly introduced into our Constitution. There was reflection and debate upon it.

Our fathers of the Revolution were not altogether disenthralled from the formulas of the Old World. The marvel is that they were even so free from them. The Veto, copied from the British Constitution, was found in all the Colonial Settlements, as a power reserved to the Crown. The men of the Revolution thought they were making great advances when they were erecting an analogous free government in Independent America; building it upon a democratic basis and retaining as much of the English form as they held to be compatible with that basis. The English Veto had not been exercised for a hundred years. What had they to fear in trusting it to a Republican President?—Still, there were many sturdy and wise Republicans who feared.

Let us see what we can gather from the scant record of the debate on this topic :

It seems Dr. Franklin was opposed to the power altogether. So was George Mason : so Roger Sherman, Pierce Butler and Gunning Bedford. James Wilson and Alexander Hamilton were in favor of an absolute Veto. Elbridge Gerry and James Madison were for the Veto with a qualification—subject to be overruled by a vote of two thirds of each House.

Colonel Hamilton thought “there was no danger of such a power being too much exercised.” He said “the King of England had not exerted his negative since the Revolution”—(1688).

“Mr. Sherman was against enabling any one man

to stop the will of the whole. No one man could be found so far above all the rest in wisdom."

"Mr. Madison supposed that if a proper proportion of each branch should be required to overrule the objections of the Executive it would answer the same purpose as an absolute negative. It would rarely, if ever, happen that the Executive, constituted as ours is proposed to be, would have firmness enough to resist the Legislature unless backed by a certain part of the body itself. The King of Great Britain, with all his splendid attributes, would not be able to withstand the unanimous and eager wishes of both Houses of Parliament. To give such a prerogative would certainly be obnoxious to the temper of this Country—its present temper at least."

These are from Mr. Madison's notes. They are meager enough.

Hamilton was an advocate of high Prerogative. He professed to fear the Legislature, and charged it with a tendency to encroach upon the Executive. Now hear him, speaking of the Veto, in that number of *The Federalist* which is given to this subject. "The superior weight and influence of a legislative body in a free government, and the hazard of the Executive in a trial of strength with that body, afford a satisfactory security that the negative *would generally be employed with great caution*; and that in its exercise there would oftener be room for a charge of timidity than rashness,"

"If a magistrate so powerful and so well fortified as a British monarch would have scruples about the exercise of the power under consideration, *how much greater caution* may be reasonably expected in a President of the United States clothed for the short period of four years with the Executive authority of a Government wholly and purely Republican!"

"It is evident there would be greater danger of his not using his power when necessary, than of his using it too often or too much."

These were early views of the Veto Power. Is it not obvious that these original defenders of the power

had but an inadequate perception of the uses to which the Veto has come latterly to be applied? The Revolutionary Presidents—the men who were cotemporary with the beginning of this Government,—understood and used the power as it was intended—sparingly and with abundance of caution. How have our latter day Presidents used it? Not sparingly and with caution, as an extraordinary power: but most frequently, and as a familiar and ordinary power. It has been, of late, often applied to bills which were passed upon most mature deliberation: it has been applied to bills which presented no questions of doubtful constitutionality, which threatened no invasion of Executive rights: it has been made a mere instrument of Party Domination: “the extreme medicine” of the Constitution—to use Mr. Buchanan’s phrase—has come to be its daily bread.

I dwell on these matters because the Whig party have been slow to quarrel with the qualified negative of the President. They would not now quarrel with it, if it had been exercised in conformity with the original design of its adoption.

In theory it was justified as a rare remedy against a rare evil. It was supposed that an occasion might sometimes arise in which a bill improvidently, and too hastily, passed might require revision; that new facts might come to light, or be known to the President, which were not known to the Legislature while the bill was under consideration; that perchance, even, in the unruliness of some legislative orgasm the manifest rights of the Executive might be assailed: these and such cases as these, it was conceived, might present and justify a necessity in the President’s sending the bill back for reconsideration by a vote of two thirds. Absolute veto was, in nowise, to be endured. The abuse of this rarely-to-be-exerted power, it was believed, was sufficiently guarded against by the right of impeachment.

Short-sighted views were these, as all men must confess who contemplate what the Veto has grown to be in the late practice of the Executive.

To judge what it has grown to be in practice, we ask attention to two topics :

First, That this Government has become practically and inevitably a government of political party Ascendancy.

By some law of political gravitation, as yet unexplored, parties invariably settle into an approximate equilibrium ; so near to an actual equilibrium as to leave but small preponderance on either side of the scale. Such a thing as a fixed, durable majority of two thirds of a House of Representatives and Senate, on any party question, may be deemed so improbable as to be cast out of the computation of expected events. Very far short of this is the average majority of any House of Representatives and Senate of our times.

I know no instance of it, except that of the Land Bill and of the Specie Circular,—and these, we know, were not, at the time of their passage, party questions, although they grew to be so afterward. Two thirds of both Houses, I may say therefore, in no case of party difference, may be expected to concur. Which being true, the Veto of the President under our Constitution, is, on all such questions, in effect, an Absolute Veto. No submission is it of such measure for reconsideration. It is the ordering back of such measure to an idle ceremony of rejection—the same being virtually dead before such idle ceremony is practised.

Second, That the inducements and instigations to the exhibition of this Executive Prerogative will be, nine cases out of ten, mere party inducements and instigations. A President and his party having fallen into a minority in Congress, present the chief category in which the Veto will be exercised. So long, therefore, as the party of the President amounts to more than one third of each House, he and they can use the Veto to carry their measures, or prevent the majority from having what they desire. This is the ordinary case, indeed the only contingency in which the Veto has been used since 1830,—except the case of the Land Bill, and of the Repeal of the Specie Circular.

Now, as it requires two thirds of the Senate to maintain an impeachment, or, in other words, as one Senator, above one third of that body, can prevent a successful impeachment, it is quite evident that whatsoever a minority in Congress, scantily numbering more than one third of each House, may counsel in regard to the exercise of the Veto, that they may save the President harmless in doing if impeachment should follow his offence. From all which it follows that, in the cases proposed, the Veto is practically *absolute*, and altogether unchecked by any power of impeachment.

If there be two hundred members in the House, standing one hundred and ten on one side of a question, and ninety on the other,—nay, if they stand any thing less than one hundred and thirty-three on the majority side, or any thing more than sixty-six on the minority side, then the Veto on the bill, the subject matter of debate, is absolute. Reconsideration, in such case, is a barren form: the Minority rules the Majority by mere frustration—by faction; and the will of the people, in this a professing popular, Republican government, is restrained and forbidden by a faction having the President at its head. And for this abuse impeachment is but an empty threat.

The President at the head of a faction, in so far as the Veto is concerned, in so far as legislation is concerned, is king—more of a king than the Monarch of England or of France, since neither of these monarchs dare hazard the Veto where our President makes it his daily staff.

If the Veto be necessary to protect the Executive, as some say, against the usurpation of the Legislature, then there is no good reason why it should not be absolute and not qualified. For if the Executive must needs be protected against the Legislature, there is as good cause to protect it against two thirds as against one man less than two thirds. If the Legislative body be inclined to intrude upon the President, that inclination may be on one side of the House as well as the

other, and the argument would be that he should be armed against their combination.

If it be proper that the President should be the power in this Government to arrest all laws he deems unconstitutional—to which I by no means assent, but on the contrary utterly repel—then he should have that power against the whole Congress, and not only against a portion of Congress; since his wisdom is quite as clear in opposition to one as in opposition to the other. If one hundred and thirty-two, out of the two hundred supposed by us, say a law is constitutional, and the President says nay—then his nay takes effect. If one hundred and thirty-three say so, his nay is nugatory: the hundred and thirty-three reaffirm and the law stands. If the constitutionality of laws may not rest with the Judiciary, why should it rest with the one hundred and thirty-third man? If it should rest with the President, why should the one hundred and thirty-third man take it away from him?—These are pregnant questions.

So too of his Prerogative—his Executive rights. If there be good reason for the Veto at all to defend these rights, there is no good reason for the qualification. If there be good reason for the qualification, there is none for the Veto.

A right in the President to send a measure, for good cause shown, back to the Legislative body for reconsideration, there is nothing to be said against. It is no more than giving the President an opportunity to make a written speech on the subject of the bill: to suggest, perhaps, new facts; throw out new lights; to remonstrate, it may be;—at the least, to give the nation his views on matters of moment to the public good. This is but a respectful deference to the station of the Chief Magistrate, salutary, and, for all purposes of defence of his prerogative, of correction of improvident legislation, of announcement of constitutional opinion, as effective and remedial as that harsh negative which but provokes unwholesome revolt in the public feeling and leads to discord:—more effective and reme-

dial than this harsh negative, because temperate persuasion from the Chief Magistrate is, in all countries, worth more than compulsion on the opinions of the people.

Reconsideration, sought in this way, ought to be ordinary legislative reconsideration; as in all other cases where bills are deliberated upon a second time,—with this addition only, as has been proposed,—That when the President sends the bill back it should require a majority of the whole body—counting absent members and places vacant—to pass it again. The President's objection should be deemed of sufficient weight to entitle it to stand, unless overruled by a majority of Congress.

So far we may safely go. Farther we may not safely go, as our most modern Congressional history has abundantly shown us.

Manifestly, such arguments as these later times have afforded us, and which I have unfolded here, did not occur to the authors of the Constitution when they discoursed upon the innocence of the Veto. These did not occur, because in those days it was not imagined that the President of the United States would ever degrade his station by uniting with a faction to overthrow a law.

Yet such has experience shown the Veto to be. It has been applied by General Jackson to sundry Internal Improvement bills: it has been applied to the Bank Bill, to the Harbour Bill, the Light House Bill, and to others. Its effect has been anticipated by a Removal of the Deposites, in the face of a resolution of Congress adverse to the removal, and a significant threat to negative any bill for their restoration. It has been superseded and its results produced, in the case of the Land Bill and the Repeal of the famous Specie Circular, by suffering the adjournment to occur without the Presidential signature.

In these cases of the Veto it was not pretended that the legislation was hasty or indeliberate;—that new facts had come to the knowledge of the President;

that any encroachment was meditated upon the rights of the Executive. They were naked party questions, the President and his party being in the minority in both Houses. They were not sent back to Congress in any honest hope of a reconsideration. It was known they could have no reconsideration and passage by a majority of two thirds,—the President's party being more than one third. They were sent back simply *to be rejected* by the minority; this being the only mode by which a President and the minority could disappoint the adverse majority in their measures. Not even did this avail to the Land Bill and the Repeal of the Specie Circular. For on these, more than two thirds had voted affirmatively. If the President had truly desired reconsideration of these, as the Constitution presumes, he could have been gratified. But such reconsideration, he knew, would have resulted in the passage of the bills. By no means wishing this, and the Constitution providing no veto which should be effectual, in such case, to defeat the will of the majority, the President had recourse to a new device to that end, and found it in laying up the bills in his desk until after the adjournment—that adjournment occurring within the ten days allowed him by the Constitution. In the common phrase, he *pocketed* these bills which he could not veto,—and so triumphed again over the Legislature.

These acts, perpetrated by a man of less popularity than General Jackson, might, and most probably would, have led to serious consequences. In his case they led to bonfires, new glorifications, fresh acts of worship, fresh excitements of the obsequious spirit of Vassalship throughout the whole host of men who sometimes call themselves Democrats, and, both since and before this memorable piece of servility, have been accustomed to boast of their Republican virtue and their love of Constitutional Liberty.

Truly, no true Whig was found among these glorifiers! It would have crimsoned his honest brow and shamed his honest heart if, on any accidental impulse,

he could have been seen congregating with others around a bonfire kindled to illustrate the glory of any man who had thus desecrated the principles of 1776. Rather would such flagrant usurpation call back to his memory the sacred resistance of his ancestors, and admonish him to hasten into the ranks of the friends of free government which were drawing into array everywhere within the circumference of the Union.

It is now found out by those who dare not censure aught that Andrew Jackson has ever done, that this perversion of a power which the Constitution, though granting it in the letter, never designed to grant in the spirit in which it has been practiced, is a great Conservative Element in Free Government.

An intrepid piece of flattery, this !

To guard Republican institutions we must create a Party Despot ! To *conserve* Democracy we must arm a self-willed Autocrat with power to silence the only democratic portion of the Government,—the Legislative Power ! To show that the people are capable of self-government, we provide them a master who shall say — “ ‘This I consent you may do :—that, I do not consent !’ ” To show what wisdom there is in popular suffrage, we disallow its organs to speak, unless they have first found out what is palatable to the Chief !

Verily, as we have said before, “the Democracy” have been coupled like hounds, and the leash is held in the hands of a master !

A Conservative Element ! The Veto leaves the law as it was before, say the flatterers of him who so magisterially used the power. It only prevents change. It *conserves* the old order of things.

Truly ! Is it so ? If the yearly appropriation bill is vetoed, what is *conserved* ? The old order of things ? No. The objects to be preserved by the appropriation perish. The navy crumbles. The army is disbanded. The fortifications fall down. The Courts are closed.

A law abolishing a War establishment is Vetoed. In such case, what is conserved ? An army that, per-

chance, may be ready and willing to help that same Veto to a little more vitality.

A Tariff law expires by limitation, as happened in 1842: the bill to revive it is negatived. What does Conservative Element in this strait? Leaves Industry to perish; leaves Revenue in decay; leaves Debt to grow apace; leaves Commerce, leaves Agriculture, leaves Manufactures in ruins. A rare Conservative Element! How long shall charlatans and hypocrites abuse the generous ear and confiding heart of our America!

This same Veto power, I affirm, has grown to be a great nuisance. To it, we may trace, distinctly enough, some very conspicuous griefs. To the Veto of the Bank, that revelry of State banking which made the promises of paper money thick "as notes in the sun-beam"—"false as dicers' oaths:" to the frustration of the Land Bill by laying it by, and by the Veto of it afterward, we trace the surplus revenue, the distribution of that surplus, the gorging of all the channels of trade with plethora of speculation, the universal downfall of credit.

Somewhat significant these mischiefs on this country of ours!—especially being come of such parentage as that Conservative Element, which certain politicians of these days laud so much.

This Veto has arisen from one man's Egotism. I hold no man's Egotism to be Conservative in this Government. In the name of rational, Republican Liberty, let us have done with all Egotism of Presidents!

The One Man Power has crept forth a bastard changeling from the cradle of the Constitution. Scotch it as a snake.

How naturally party madness sanctifies error! This same Veto, being a fiery whip to chastise the Democracy, has grown to be a symbol and a badge of fealty with that same now craven, crest-fallen,—once proud and indomitable Democracy. No P. P. "clerk of this Parish," accustomed to swell his puny dimensions in presence of his choristers,—being, by some freak of

fortune, lifted up into a fussy, frothy Mayor of a Corporation,—but must play off upon his Board of Aldermen *his* little Veto, aping the Great Veto, and must show up the Conservative Element of his yeasty wisdom, as more orthodox and Dogberryish, more “sensible and desertless,” than the United Wisdom of their Worship in conclave. “This Pump at the corner shall *not* have a new sucker. By virtue of Conservative Element I forbid it. Let the said Pump henceforth be conserved suckerless!”

Hero of New-Orleans, into what dismal depth of sublime inanity hast thou not plunged us! Our Pump at the corner, out of thy Egotism, goes without a sucker!—Our Mayor, tickled by the fancy of thy Prerogative, will not sign the bill. Amazing Mayor, how cunningly hast thou made the cup of thy popularity to overflow!

Have the Councils the courage to take this matter in hand, and save us our Pump and Charter? By no means, if they be of the true stripe. Your good Democrat of these days bows to Conservative Element. He affirms that Dogberry was set up to save the people against themselves. A pill to prevent surfeit of Freedom.

While such whimsies are in the brains of the Democracy, the reform will cost us a struggle. But we will have it.

X.

CONTEST OF 1840.

WHATEVER may be said about the contest of 1840, no one believes that it was not conducted by the Whigs upon the advocacy of great principles, interesting both to the organization and policy of

this Government. That man has great hardihood in his contempt for the sentiment of the people, and great contempt for the people themselves who, after the experiences of 1840, affirms that the multitudes of American citizens, whose votes made that famous majority of 1840, were stirred up to this great impulse by no estimate of patriotic duty, but only by the noise and pageantry of music and processions. Republican government has a slender guarantee in the minds of the men who think and affirm thus. Popular wisdom is a paltry matter in their reckoning! There are men in this Republic, and always have been men in it, who are accustomed so to deride the manifested opinion of the majority—to deride it whenever manifested against their own computations of personal or party advantage: but these men are, by no means, Democrats in truth, whatever they may be in profession: by no means friends of free Representative Government. They contemn the people and abhor the people's impulses. Yet this was the case of most of the party leaders of that party which was defeated in 1840; was the case with many clamorous followers of those leaders. Herein we may see some very visible workings of the leaven which leavened the administration of General Jackson. These reproofs against a majority, and revilings of popular judgment, are but the out-bubbling of that peccant matter wherewith the dominant party of 1828 was inoculated, and with which the remnant of that party is still diseased.

In the selection of the candidates of 1840 the Whig party have found a great calamity and a great disappointment. A calamity in the death of him they chose for President; a disappointment in him they made Vice-President.

I will not say how these disasters came upon us or how they might have been avoided. It is puerile to complain when the event is without remedy.

It is a difficult thing in a popular government,

the very life of which consists in free thought and many opinions, to give to a great citizen,—one who is great for his ability, for his integrity, and great for his useful service—the prominency and support to which he is entitled. A long life of public duty makes friends; it also makes enemies, and men sometimes grow too prominent by their merits. In such case it is apt to occur that the asperity of opponents becomes unduly sharpened against the man highest in the applause of his friends; and that asperity turns busily to the labor of detraction so as greatly to influence public feeling against him.

This was the estimate which many made, when the question of our candidates for 1840 was in agitation, to the disadvantage of the man whom nine Whigs out of ten desired to see set up for the Presidency. We had a man in those days whose name alone was a proclamation of the whole Whig creed. It is useless to ask why the Convention at Harrisburg did not nominate him. Whether there was an evil eye resting on his greatness; whether some men feared the too great embitterment of the adversary party against him; whether a candidate of more bland and conciliatory popularity were safest in the emergency, are topics I am not called on to discuss:—it is enough, that for reasons, good or bad, he was passed by. Many judicious men, multitudes of warm-heated Whigs, regretted it. One man, it is said, in the Convention, *shed tears* over it.

General William Henry Harrison was selected. A great and venerable name! If disappointment could find compensation in any alternative, here it was entitled to expect it. The mild virtue and stainless life of the chief; the grateful service of youth, manhood, prime and old age, in camp and council, lavished for his country; the benevolence and genial charity of his temper; his open hand and open heart; his honest and eager love of his native land; his prodigal and even thriftless affec-

tion for humanity—all these made up a sum of compensation which speedily wiped away all disappointment and subdued all regret. None so forward to allay this regret as that man upon whom all early expectation rested: he was the first to express his content in the nomination, and to pledge his faith to the contest.

And so it fell out that General Harrison was made the Whig candidate of 1840, for the Presidency.

Why John Tyler was made the candidate for the Vice-Presidency,—let those answer who did it!

So far as they were acquainted with him, they have a heavy reckoning to make to the country. So far as total ignorance of the true character of the man, of his capacity, of his faith, temper, affections, of his political or personal opinions,—of any thing genuine belonging to him—so far as ignorance of all these may excuse the Whig party in giving him their confidence, they may be excused:—no farther. I acknowledge, for my own part, a grievous delinquency.

I suppose it may be said, with entire truth, in respect to the mass of the Whigs, that, for the most part, they knew very little of Mr. Tyler and his opinions;—that they cared less,—never contemplating the event of his succession: that, as he professed to be the friend of their friend, Mr. Clay;—was anxious for his nomination,—they had no doubt that he was a Whig, and would do the duty of a Whig whatever might betide: that as he had been on the Whig ticket for the Vice-Presidency once before, and came to Harrisburg as a member of the Whig Convention, he thereby proclaimed himself to be a Whig, and could, without dishonor, be nothing else: especially that he could not be a secret enemy to the Whigs and harbor an undivulged purpose in his mind to betray them, if ever they should trust him.

I have no better account to give of this selec-

tion, deplorable, disastrous, as it has been. Would to God that all record of it might be forever effaced from our annals!

The battle of 1840 was fought and won. The Whig party came into power high in hopes, frank in promise, deeply in earnest to do every thing for the renovation of the decayed prosperity of the country.

The defeated party, in retiring from power, did every thing they could to embarrass their successors. They had drained the Treasury; they had created a debt;—they left large amounts due in various branches of service without provision. They had exhausted all reserved funds of government. They saw the duties on the lowest verge of the Compromise of 1833, and made no effort to supply the deficiency this was certain to produce. They had issued large amounts of paper money to be redeemed during the year,—these issues being, in fact, but the renewal of old debts—and they had created no fund for their redemption. Trade was in decay, industry was overthrown, credit was gone. “It seemed”—as an eloquent member of the House of Representatives said—“matters having become so inextricably bad, as if the party had got itself beaten *on purpose*.”

Upon this wreck of affairs the Whigs had to begin their great labor.

General Harrison summoned around him a cabinet distinguished for its ability, distinguished for its possession of the confidence of the Whig party. The Executive, thus organized, called to their aid the Legislature, who were ordered to convene at the earliest moment.

One month after the installation, the Whigs were struck mute by the death of the President: event all unlooked for, unprovided against; sorrowful on many accounts, but most calamitous for its first and greatest consequence—the exaltation of him whom the accidents of the Harrisburg Convention

had brought upon the ticket for the Vice-Presidency.

In the universal outbreak of the national grief every one seemed to wake up suddenly to the inquiry, Who and what is John Tyler?

He made speedy answer for himself. "You have but exchanged one Whig for another." These words were among his first utterances at Washington:—even at the funeral of Harrison.

The only point upon which any anxiety for Mr. Tyler's Whig principles was supposed to have a foundation, was upon the question of the Bank. In the Senate of the United States he had made a mitigated opposition to the Bank: an opposition consisting of one part scruple and three parts praise. He had spoken there in terms of warm *commendation* of the Bank, and especially of the beneficence of its *exchanges*. "I should as soon complain of the ocean for furnishing facilities of intercommunication between distant nations, as to complain of any other agent employed in furnishing similar facilities to the exchanges of the country."—A strong figure! Then again—"If the Constitution authorized its creation, no man, with the experience of the past, could well doubt the propriety of a well-regulated and well-guarded bank."

These were opinions spoken in the Senate in 1834. The public were reminded of them in this juncture, when men were so anxious to know what would be the course of Mr. Tyler on this Whig question.

In the midst of this anxious concern, the Vice-President,—now having come to the head of the Government,—put forth an address to the people. It is very significant in reference to the prevailing doubts. "The public interest demands that if any war has existed between the Government and the Currency it shall cease." "I shall promptly give my sanction to any constitutional measure which, originating in Congress, shall have for its object

the restoration of a sound circulating medium, so essentially necessary to give confidence in all the transactions of life, to secure to industry its just and adequate rewards, and to re-establish the public prosperity. In deciding upon the adaptation of any such measure to the end proposed, as well as its conformity to the Constitution, I shall resort to the fathers of the Great Republican School for advice and instruction, to be drawn from their sage views of our system of Government and the light of their ever-glorious example."

He had said, in private, to several friends, that his opinion on the constitutionality of a Bank had undergone a change. Indeed, we may infer as much as this from a letter written by him to the Henrico Committee, during the Canvass of 1840. "There is not in the Constitution any *express* grant of power for such purpose, and it could never be constitutional to exercise that power *save in the event* the powers granted to Congress could not be carried into effect without resorting to such an institution." He had before admitted what we have quoted from his speech in 1834—"no man, with the experience of the past, could well doubt *the propriety* of a well-regulated and well-guarded bank." It is obvious that in 1840, with these opinions, he was *very near* his conversion to a Bank:—three parts out of four, he was for it certainly.

But what did he mean by referring, in his Inaugural Address, to "the Ever-Glorious Example" of the Fathers of the Republican School?—Mr. Madison was conspicuous among these fathers; was one of the chief authors of the Constitution; was ever its strongest champion; had, for a long time, opposed a bank as unconstitutional; had become convinced, by the experience of a deranged currency, that a bank was "a necessary and proper" instrument toward the accomplishment of the powers conferred by the Constitution; acknowledged the constitutionality to be a ques-

tion definitively settled by precedent; upon these convictions had renounced his old objections, and signed a bill for establishing such an institution.

What did Mr. Tyler mean by referring to this example? Was it not very pregnant of meaning? He had already declared that he thought the Bank *useful*: he had even affirmed that, with our past experience, no one could doubt "the propriety" of a well-regulated bank. He had thus arrived at the conclusion that it was "proper" at least. His only constitutional doubt rested on "the necessity." He told the Henrico Committee that the power to create a bank not being "express" in the Constitution, "it could never be constitutional to exercise that power, *save in the event*," &c.—Then, it is clear he *could* conceive a case in which it *might* be constitutional.—Add to these the expressions contained in the Inaugural Address, and it is quite apparent that the mind of Mr. Tyler was *in a state of transition* at least, on this topic. Nay, that he had absolutely *changed*, as he told several. By way of breaking this change to the public and of preparing old acquaintances against surprise at his advocating a Bank; he made this reference to "the Ever-Glorious Example." If he did not design it to give countenance to his change, why did he allude to that example at all? If he could, by no means, agree to sign a bank bill, why did he not then say so? The whole Whig press throughout the Union, after that Inaugural Address, proclaimed him as "safe" upon the Bank question; the Madisonian, the Herald—his peculiar organs—so proclaimed him. Why did he not deny it, and say he was misapprehended?

This was the only Whig question upon which any concern was felt in regard to Mr. Tyler's opinions. Upon every thing else his most intimate and confidential friends vouched for him to the world. Mr. Cushing, who may speak in this relation for Mr. Tyler, said, in a letter at the close of

the Extra Session, that "of thirty-one Whig measures" the President disapproved of but one. "In respect to all but one of these measures"—these are his words—"there was *perfect concord* of action on the part of the two Houses of Congress and the President. Concerning one of them, he and they differed."

Indeed, in regard to the strong, characteristic doctrines and measures of the Whig party, Mr. Tyler may be said to have been lavish of profession.

As to "the single term" of the Presidency, he had written a letter and drunk a toast in which we may find even a savor of self-glorification at being *the first* to denounce the evil of a second term, on the score of the danger of allowing the incumbent of the Presidency to employ his power and patronage to secure an election.—No one was more zealous for the distribution of the proceeds of the public lands than Mr. Tyler. No one more kindly disposed to protect the Industry of the country.

Then, as to the honest and moderate use of the Executive Patronage—who had ever gone farther? He even professed to desire that Congress should impose restraints on the power of removal by the President. Mark the wise humility and virtuous self-denial breathed, on this point, in the Inaugural. "The unrestrained power exerted by a selfishly ambitious man, in order either to perpetuate his authority or to hand it over to some favorite as his successor, may lead to the employment of all the means within his control to accomplish his object. The right to remove from office, while subjected to no just restraint, is inevitably destined to produce a spirit of crouching servility with the official corps which, in order to uphold the hand that feeds them, would lead to direct and active interference in the elections both state and federal, thereby subjecting the course of State Leg-

isolation to the dictation of the Chief Executive officer, and making the will of that officer absolute and supreme. I will, at a proper time, invoke the action of Congress upon this subject."

Then again—

"I will remove no incumbent from office who has faithfully and honestly acquitted himself of the duties of his office, except in such cases where such officer has been guilty of an active partisanship, or by secret means, the less manly and therefore the more objectionable, has given his official influence to the purposes of party, thereby bringing the patronage of the government into conflict with the freedom of elections.—Freedom of opinion will be tolerated, the full enjoyment of the right of suffrage will be maintained as the birth-right of every American citizen."

Breathing such sentiments as these, so full of amiability and assentation—so yielding in old opinions, so complaisant in all Whig doctrine, so humble, so gracious and so wreathed in smiles, came John Tyler to the accidental fortune of the Presidency of the United States. It has been charged against the Whigs that they have not redeemed their promises to the country. Why have they not redeemed them?

That remains to be told.

DEFENCE OF THE WHIGS.

PART THE SECOND.

THE WHIG PARTY:

ITS DISAPPOINTMENT, ITS RETRIBUTION, ITS HOPES.

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DEFENCE OF THE WHIGS.

PART THE SECOND.

I.

THE EXTRA SESSION.—A BANK BILL.—A SCRUPLE AND
A COMPROMISE.

WITH a bright sun breaking above the gloom of Harrison's death, and gilding the hopes of all who expected happier days through the efficacy of a Whig Legislature, Congress met, on the last day of May, 1841, in Extra Session.

Mr. Tyler was, apparently, in the best mood to gratify the anticipations of that great party who had raised him to what he was, and who were sincerely disposed to be his friends.

Never was there a man brought into an exalted station with so little effort on his part, or with an easier fortune before him. His course lay over a summer sea, with favoring winds to fill his sails: a prosperous voyage was before him, pleasure on its track and fame at the end—had he but the wit to see it.

His message was auspicious: it was full of promise.—The Currency, he proposed to regulate by a "Fiscal Agent."—"Upon such an agent depends, in an eminent degree, the establishment of a currency of uniform value."—So far, well. This fiscal agent must not be a Sub-Treasury: it must not be constituted of State Banks: both of these have met "unqualified condemnation" from the people. And as to a National Bank—even although one had been chartered

by a vote of both Houses, this, "a regard to truth" requires me to say "has also been condemned by the popular voice."—What in such case is it best to do? "To you, then, who have come more directly from the body of our common constituents, I submit the entire question, *as best qualified to give a full exposition of their wishes and opinions*. I shall be ready to concur with you in the adoption of such system as you may propose, reserving to myself the ultimate power of rejecting any measure which may, in my view of it, conflict with the Constitution, or otherwise jeopard the prosperity of the country—a power which I could not part with, even if I would: but *which I will not believe any act of yours will call into requisition*."

Mr. Tyler when he wrote this, knew that a Bank would be one of the most prominent topics in the deliberations of the Whigs at that session:—as far as he had control over the subject, intended it should be so: recommended deliberation on that point.

Was it designed that we should gather from these expressions of the Message that he would agree to *no* Bank?—or rather on the other hand, a hope and belief that such a Bank would be agreed to, as would not "call into requisition" his Veto?—

Then came a hint or foreshadowing, of some significance in the interpretation of his wishes. It regards the Distribution of the proceeds of the Public Lands:—"Whether such distribution should be made, *directly to the States, in the proceeds of the sales, or in the form of profits by virtue of the operations of any Fiscal Agency, having these proceeds as its basis, should such measure be contemplated by Congress, would well deserve its consideration*."

What did he propose should be understood by this hypothetic intimation?—Clearly, I understand it as no less than a suggestion of the possibility—the probability—of its being found most expedient to constitute a Bank in such manner as to incorporate into the capital "the proceeds of the sales"—which suggestion, in fact, was afterward made by the Secretary of the Treasury and advised by him.

Could we infer that Mr. Tyler would veto a Bank on such a basis? — If not, then we may conclude he deemed such a Bank not unconstitutional. If such not unconstitutional, might not one also be constituted without “the proceeds,” which would be held equally free of objection?—It is very evident he was not, at this time, against *every kind* of a National Bank.

It would seem as if the Presidential mind had already gone through its transition, and now rested upon “The Ever-Glorious Example.”

But the President, in truth, had a scheme of his own. He was not only *friendly to a Bank*, but somewhat covetous of the renown of being the author and founder of one. We have evidence that he had several schemes. He had been studying the matter. What the Abbé Sièyes was said to be in the article of Constitutions, at the first dawning of the French Revolution, we have reason to suspect Mr. Tyler was, in the article of Banks—that is, a projector in this line, with pigeon holes full of them, ready made.—With more or less certainty, we trace to him conceptions of *three* different kinds: First, a Bank after the old fashion, as regards faculties, with a somewhat whimsical abstraction concerning the assent of States: Second, a Bank stripped of power of discount and limited to exchange; and Third, a Bank of indefinite character founded on the Proceeds of the Sales of the Public Lands.

But very distinctly do we find him, first and in preference to all other plans, friendly to a Bank with every Money power that any Bank of the United States ever possessed: as potent as any for the peculiar mischief ascribed by politicians to “The Monster;” and varying from the old models mainly in the practically insignificant feature of the location of Branches with the consent only of the States in which they were placed;—a feature which Mr. Webster described as a “merely theoretic difficulty attended with no practical disadvantages.”

Very distinctly do we find proof of this, as I propose to show.

I have hinted before, that the President had two special organs of his opinions. One was the avowed official paper of the Administration,—the *Madisonian*. This paper was conducted by an obsequious friend : it was supported, in great part, by government favor : the editorial matter was altogether responsive to the President's suggestions ; was even inspected and revised before publication, whenever it was thought necessary, by the President or some of his family.

The other was a less official but not a less genuine organ. It was, moreover, personal to the President—having little to say *for* his cabinet—much often to say *against* them : a back-stair confidant, and therefore much more authentic on the topic of the influences that belonged to that region. It told secrets where there was a purpose in having such divulged. It could be repudiated when a hit failed or did mischief : acknowledged, when the hit took effect. It was, in short, that kind of organ which history shows us to be both common and useful in the affairs of great men.—This organ, was found in the correspondent of the *New-York Herald*,—a familiar Scapin about the President's household. He was the collector of gossip, and haberdasher of the wit of the White House ; a regular frequenter of the garden and of the levées,—where he made notes for frivolous flatteries, and described the Court Paragons,—never forgetting the President himself,—in mawkish bombast ; and said ill-natured things of such as fell not within the category of Court favor. He was purveyor-general to the domestic vanities. It was his vocation to pick up and sift all the current glorifications of Mr. Tyler and his household, which were dropped by the way side, or which were laid in the path of this assiduous functionary, on purpose to be picked up, by those who had some personal motive to flatter. The zeal and ability with which he performed these offices, made him a favorite, and, in various by-ways, gave him access to many State secrets ; whereby he had a knack of predicting the President's opinions and meditated acts, with wonder-

ful precision, before they were made known through any other channel. His letter was always an infallible index to the coming message.—If any one is anxious to learn what was concocted in the White House, during the Extra Session, or desires to know how the President lived,—what were his habits, what he thought, said and did, or how he looked—let him resort to the correspondence of the Herald!

These are the two organs whose testimony I find occasion, in the first place, to employ. I have other witnesses—graver but not more authentic.

Letter-writer Scapin, as early as April 20th, which was only a fortnight after Mr. Tyler made his Inaugural Address—not quite a fortnight—and full forty days before the Extra Session, blurts out—very indiscreetly, we must say now—a piece of intelligence regarding the Bank. It would, doubtless, have cost him his place if the President had then foreseen how very deep was the faith of the nation in his known abhorrence of a Bank, and how shockingly ungrateful the Democracy have become in refusing to trust one so distinguished for this aversion.

I quote this intelligence in Scapin's own words.

"A letter has been received from Mr. Rives, in which he expresses his decided approbation of the tone and doctrines of President Tyler's address to the people, and pledges himself, unequivocally, to the support of the principles of Mr. Tyler and his administration. *This is regarded as decisive of the charter of a National Bank. Mr. Rives's vote renders such a result certain.* The Message is to be confined to a full exposition of the affairs of the nation, the situation of the Treasury, the state of the currency, foreign relations, and such other topics as are ordinarily discussed in papers of the kind, *without suggesting any specific plan or any measures for the relief of the people. All this is to be left to Congress.* THE SECRETARY OF THE TREASURY HAS NEARLY COMPLETED HIS PROJET FOR A BANK, but its features have not yet transpired."

There is what was known at Washington six weeks

before the meeting of Congress :—namely, Mr. Ewing was then preparing a Bank bill: Mr. Rives's approbation of the Inaugural was held decisive of his vote in favor of the bill in the Senate.

At the opening of the Extra Session the President's Message was accompanied by the Report of the Secretary of the Treasury. This paper earnestly recommended the establishment of a Bank. It adds—"If such an institution can be so conceived in principle and guarded in its details as to remove all scruples touching the question of constitutional power, and thus avoid the objections which have been urged against those heretofore created by Congress, it will, in the opinion of the undersigned, produce the happiest results, and confer lasting and important benefits on the country."

The Bank was thus brought distinctly to the consideration of Congress both by the President and the Secretary.

The President was desirous that Congress should call on the Secretary to report a plan for a bank. He expressed this wish to more than one member immediately upon the opening of the session: in fact, invited the call. Mr. Wise, his confidential friend, introduced a resolution to this end into the House on the 3d of June. Mr. Clay did the same thing in the Senate on the 7th.

On the 12th of June the Secretary, Mr. Ewing, made his report, and with it a bill for the incorporation of "The Fiscal Bank of the United States."

The bill is represented by the Secretary, as creating an institution, "in the general plan and frame" of which "he has endeavored to free it from the constitutional objections which have been urged against those heretofore created by Congress."

This plan, accordingly, differs from the former Banks in two essential characteristics,—both of which, it was understood, were introduced upon Mr. Tyler's suggestion and in deference to his peculiar views of the Constitution.

First, It proposes a Bank to be incorporated in the District of Columbia.

Second, It was to have the power to establish Branches only with the assent of the States.

Many provisions were made to guard against the abuses which were known or alleged to have crept into the former banks.

In all other respects,—in amount of capital, in privilege of discount and exchange, of faculty to create paper money, of influence over the commerce and wealth of the country ; in all that concerns that hideous Money-Power which has frightened so many anxious patriots from their propriety ; in all means of doing good and harm incident to a Bank ; of “monopoly of brokerage ;” of making “the rich richer and the poor poorer,”—so far as such things ever have been in past days ;—in brief, as regards all and every slang objection which the political cant of ten years has heaped up in the magazine of anti-Bank missiles,—this Bank was, in every essential limb and feature, the same veritable monster which the oracles have said had broken down public liberty and undone the nation ;—the identical Dragon Redivivus which our blessed St. George of the Hermitage had erewhile made

“An example to all Dragons.”

There it was restored ; with the same bristling crest, and horrid claws and fiery eye. Differing only from its former guise, in that its abode was changed to the District of Columbia, and that it might not set its seductive paw upon a State without that State’s consent. As this Dragon was endued with some of the virtues of the siren, all men know what feeble defence might be found in the self-denying virtues of a sovereign State.

Was this Mr. Tyler’s Bank ?

It came from his cabinet minister. It had been on the anvil for more than six weeks. The report accompanying it recognised his hint touching the Public Lands. It was produced upon a call made at his sug-

gestion. In its two chief characteristics—Incorporation in the District, and Assent of States—it was not the scheme of any member of the Cabinet ;—certainly, not of Mr. Ewing who prepared the bill.

Was it Mr. Tyler's Bank ?

If it was, what are we to say of that importunate claim now made for him as the *very* democrat of democrats—uncompromising strict constructionist, ultra-Defender of the Anti-Bank Faith—in this even out-Jeffersoning Jefferson ;—predestined and heroic dispenser of the Veto ; whom all men knew from the famous import of his opinions, from the tenor of his whole life and conversation, must crush with his deadliest veto such an enormity as a Bank, at its very birth : was expected to do this—was elected to do it—could do no other than this and *preserve his reputation of fidelity* ?—For the doing of which deed, eternal and immeasurable democratic gratitude is claimed as but a small return—small, in comparison with this brilliant service, even though it reach to the glorification of him, with another term and instalment as Chief of the peculiar Anti-Bank Democracy—postponing Van Buren, Calhoun, Cass, Buchanan and Johnson as but milk-sops and carpet-knights in the war against the Monster—What are we to say of this claim ?

We ask, then, again, somewhat anxiously—

Was this thing of Mr. Ewing's, the President's Bank ?

We shall see.

Tuesday, 15th of June, I find published in the Madisonian, the Secretary's report and bill, concerning which, editorially that paper remarks, "This plan is substantially the same, except in a few particulars, as that shadowed forth in this paper last week. We not only 'have no doubt of its having the approbation of a majority of the heads of Departments,' as remarked by a city contemporary, but *we can confidently state that it has, in its general features, received the approbation of the President*, which is the more important since his concurrence is absolutely necessary to its passage."

Then again on Thursday, 24th of June.—

“The Richmond Enquirer is growing exceedingly impudent, and on some points recently has shown itself mendacious. In his last paper the editor has scribbled a long editorial in ridicule of the Treasury plan of a Fiscal Agent, affecting at the same time to be the organ, the adviser and the dictator of the President, while he charges a want of veracity and a want of dignity upon his cabinet. *He even intimates that the Madisonian falsifies the views of the President, and undertakes to deny that the President approves of ‘the general features’ of the Treasury plan!* Was impudence and vanity the like of this ever equalled in an opposition print?”

About this time Scapin writes a letter which throws some light on the matter.

June 21, he says,

“Mr. Clay’s projet for a bank was read in the Senate to-day. The important point of difference between *the President* and Mr. Clay is in regard to the compulsory establishment of branches in the States. The opinion alluded to yesterday that Mr. Clay will not press his peculiar views to the extent of *jeoparding the establishment of a Fiscal Agent* is gaining ground, and the impression now is that the prominent measures of the party *will prevail* at the Extra Session.”

These are a few, selected from many testimonies, to the same import, furnished by the newspaper depositaries of the President’s confidence.

The highest testimony of all which we could give upon this point, the most unquestionable in the view of the nation, would be the published letters of the Cabinet officers who resigned. These letters are full and unequivocal, and supply the best material for history, as the evidence of honorable and approved men. But these newspaper fragments are chiefly valuable as contemporary announcements by intimates of the President—made while matters were in progress, while there was no motive to misrepresent, and before any one had foreseen the disastrous conclusion.

Enemies have maligned the letters of the retiring Cabinet officers as being *ex parte*, against the President. There are, however, high testimonies that are not *ex parte* in this sense—but all the stronger for being *ex parte* on the other side ;—zealous party friends of the President.

Mr. Cushing is one of these. In his letter to his constituents, September 27th, 1841, written in defence of the President, he puts the case somewhat thus :—There were two courses for Congress to pursue : either to pass a Bank bill of their own, without consulting the President, or to ask the President for a bill and pass that. He argues, in effect, that if Congress had done the first, and the President had vetoed their bill, they *could not* have reasonably complained ; or if they had done the second,—asked for a bill and passed it,—they *would not* have found occasion to complain.

He then adds—

“ Congress saw fit to adopt neither of these courses, that is, neither passing a bill of its own, nor *accepting one from the President*. And hence its failure to incorporate a Fiscal Bank.”

Mr. Wise is another of these witnesses. He also wrote a letter after the Extra Session, November 5th, and published it. “ Who,”—he asks in that letter—“ according to all party usages, ought to have been regarded as the true exponents and representatives of the Whig party ? Undoubtedly its President, elected by the party, and the Cabinet chosen or continued by him. Their joint councils ought to have been taken as the embodied will of those they represented. What did they do ? *It is well understood that they had come to a compromise upon the vexed question of a Fiscal Agent*. The Secretary of the Treasury, Mr. Ewing himself, proposed a plan which he recommended to Congress as one which would conduct our finances and commerce, equalize exchanges, regulate currency and avoid all constitutional difficulties. This was the very desideratum, if it was what he described it to be, and this was emphatically by a Whig administration rec-

ommendation, from the proper department, *said to be acquiesced in by the President*, and it was called for by both Houses of Congress. It was *justly regarded as the Whig measure of the first moment*, and would, as such, have been met and treated, doubtless, by the Opposition or Van Buren party."

Upon this same point, highest of all, we have the testimony of Mr. Webster. It was given to the world in that unhappy Fanueil Hall speech of his.

"At the Special Session Mr. Ewing proposed a plan for a National Bank. *It received the approbation of every member of the Cabinet, as the only plan which would be likely to succeed, considering the opinions of the individual whom we had all agreed to put in the second place in the Government.* It was the part of wisdom not to see how much of a case we could make out against the President, *but how we could get on as well as we might, with the President.* Mr. Ewing's bill did not allow the establishment of branches without the consent of the States. I have no idea myself that there is a constitutional necessity for this restriction. I never had any such idea, but I could see no great difference that it could make. It was merely a theoretic difficulty, attended with no practical disadvantages that I could see."

Now, here is a brief of evidence from Scapin, of the Kitchen, up to Daniel Webster,—all strong to the same point,—the paternity, namely, of what is generally known as Ewing's bill, in the President.

What is the corollary from this? That Mr. Tyler was, as late as the 12th of June, 1841, *the friend and advocate of a Bank of the United States.*

No one imagined, at that time, that he would ever deny this. It was no secret. He communicated his wish to have a Bank to many members. He was thought to be particularly tenacious about his Bank. The Whig party so understood him and so relied upon him; shaped their course with reference to this reliance.

Mr. Ewing's report and bill were referred in the

Senate to the Select Committee on the Fiscal Agent, of which Mr. Clay was Chairman. That Committee reported on the 21st of June:

In all essential features the bill reported to the Senate by Mr. Clay is the same as that of the President, with one exception. That exception regards the establishment of Branches.

The Bank, in this plan, as in the other, was to be situated in the District of Columbia: It was to have the same capital of Thirty Millions—with a provision for future increase, if Congress should think it advisable, to Fifty Millions!

It provided for a Government subscription of Ten Millions instead of the President's Six; and it dispensed with the Fourth Instalment of the Surplus Revenue, amounting to upward of Nine Millions which the President's bill proposed to make part of the Capital:

It allowed dividends as high as Seven per cent.: the other restricted them to Six:

It gave nine paid Directors, and required *a majority* to transact business: The Executive scheme proposed seven paid directors and *three* a quorum for business.—It was somewhat more stringent in its regulations than the Bill of the Executive: among other particulars in these:—

It forbade the appointment of any member of Congress, or of a State Legislature, or officer, or Contractor of the Federal or State Governments, as a Director in the Bank or its Branches:

It forbade all discounting within the District of Columbia, or loans, except to the Government:

It gave additional powers to facilitate free examination of the Bank by the Secretary of the Treasury:

It added restrictions to the use, and guards against the abuse, of Proxies:

It forbade the officers from borrowing money or obtaining discounts from the Bank, or contracting debts with it:

In these and sundry other particulars, the Senate

Bill was more guarded and restrained than the Executive Bill.

These diversities between the two schemes mainly respect the *efficiency* of the proposed institution: They did not touch any debatable question of Constitutional power.

Such a question of Constitutional power, and the only one, was presented in the clause relating to the establishment of branches. In all other points the bills are the same in principle, and, with very little variation, coincident in detail—almost identical in phraseology.

On this point of establishment of Branches—the 16th Fundamental rule in each Bill—the Senate plan differed from that of the Executive, to the following extent:

The Executive Bill authorized the corporation to establish a Branch, for Discount and Deposit, in any State whose Legislature should give its assent to such an act; such Branch being once established, not to be withdrawn without the assent of Congress:—or, instead of establishing such office, the directors were authorized, from time to time, to employ any individual agent, or bank,—with the approbation of the Secretary of the Treasury,—at any place, to transact the business of the Bank, other than for the purposes of discount.

The Senate Bill, first, made it *obligatory* upon the Corporation to establish an office of Discount and Deposit, in any State in which two thousand shares should have been subscribed, whenever, upon the application of the Legislature of such State, Congress should require the same: second, the directors were authorized to establish such offices in any State or Territory, whenever they should think it expedient, without the assent of the Legislature: third, or, instead of establishing such offices to employ an agent or bank—to be approved by the Secretary of the Treasury,—at any place,—to transact the business of the Bank, other than for the purposes of discount.—

This latter clause being to the same effect as that in the Executive Bill.

There is a view of the two provisions. It will be seen how very narrow was the difference between Mr. Tyler's proposition and Mr. Clay's: a difference, so far as Constitutional power was concerned, that rested upon the naked alternative, of—

Branches to be established *originally* with the assent of the States, and that assent, once given, to be irrevocable;—or Branches to be established when and where found convenient, without that *original* assent.

The President maintained, in justification of the principle inserted in his bill, that although he could find power in the Constitution to establish a Bank, he could find none to establish a Branch: That to get this absent power, it was necessary that Congress should apply to each State for a grant of it.—This argument, in deference to the President, we must call "Strict Construction!"

Mr. Clay, on the other hand, held, that if the Constitution did not give the power to establish a Branch, no assent of a State could give it; and, therefore, that it was unconstitutional to attempt to derive power from the assent of a State.—This argument we may presume was deemed "Broad Construction!"

Mr. Tyler, the Strict Constructionist, thought an unconstitutional Branch might be made Constitutional by the assent of a State:

Mr. Clay, the Latitudinarian, could find no power in the Constitution to ask assent as the foundation of a right.

Strange livery, this poor serving man, Construction, has got into!—But there is the whole Question.—Even upon such a rock as this has our skilful Palinurus steered his cock-boat.

Upon this logic, a division of opinion arose in Congress: not as to which of these positions was the sound one.—I believe there was not a man in either House who honestly and sincerely held with the Presi-

dent.—Not one. But the question which now divided Congress was—Cannot the President be gratified as to this crotchet of his regarding the Assent of the States? Cannot Congress, if it finds motive to do so, as a matter of expediency merely, *waive and forego its right* to establish a branch, and ordain that that right shall not be exercised except in such case as when a State may express a wish for a Branch?

Upon this point, there was a very general, perhaps unanimous, concurrence of the Whig party in the affirmative. Is it expedient to establish such a precedent?—May it not be used, hereafter, to the prejudice of good Legislation? On this point there was less unanimity. Some members were strongly opposed. Then it was suggested that the power might be waived, with a protestation. I know not how many suggestions were made. There was certainly great solicitude to comply with the President's wish, if possible.

The difficulty was, at last, thought to be settled by a Compromise;—a Compromise to which it was reported the President had agreed. Whether he had or not, I am unable to say. It was believed so, at least; and more especially, as The Madisonian broached the idea and advocated a settlement, much in the terms of this now brought forward.

This Compromise was sufficiently ridiculous. There was great repugnance to it through the Whig ranks. But it was finally agreed to, because the majority thought the President wished it. Nothing but that could have got it a dozen votes.

The whole controversy rested on a foundation so exceedingly frivolous—this crotchet of the Assent of States—that no new frivolity in the progress of it excited surprise.

The Compromise was this—

The Directors to have power to establish a branch with the assent of the State, and, when established, not to be withdrawn without the consent of Congress:—Provided, first, That the power to establish a Branch—

shall be unrestrained, in respect to any State which shall not, at the first Session of its Legislature, after the passage of the Charter, express its *Dissent*; in defect of which, *Assent shall be presumed*: And Provided, second, That whenever Congress shall deem it "necessary and proper" to the execution of powers granted by the Constitution, to establish a Branch in any State,—then Congress may require the Directors to establish such Branch.

This Compromise being thus arranged in conformity, as it was supposed, with the President's views, it was incorporated in the Bill, and the Whigs then hastened to pass it,—hoping that they had thereby allayed the prickings of Mr. Tyler's sensitive and too prurient conscience.

The Bill was not agreed to without a smile. In fact, the whole affair had a dash of the comic in it.

The Whig party having got through this their First Trial—happily as they thought—congratulated themselves upon having so clear-sighted and practical an Abstractionist at the head of affairs.

II.

TYLERISM.

I WILL do Mr. Tyler the justice to say that I have no reason to suppose he ever gave any distinct promise to accept the Compromise, although such a belief was prevalent. His demeanor, at this time, became very diplomatic. Speculations were afloat,—would he veto the bill, or would he sign it? The Herald positively announced a Veto. The Madisonian, of June 29th, had proposed and advocated a Compromise, as we have said, of very much the same import with that which was adopted:—Now that the bill was passed,

it assumed another tone and rather ominously hinted at a Veto. The greatest anxiety prevailed among the Whigs to avoid this catastrophe. The President was well aware of this anxiety, but gave no intimations of what he would do. From day to day he encouraged hopes quite as vividly as he excited fears. He either was or seemed to be greatly agitated by the question. The Bill was passed on the 6th of August; he kept it until the 16th. During this interval his house was filled with visitors from the ranks of the opposition: they took possession of his ear; became his intimate advisers.—What advice they gave we may conjecture. He affected to complain that the Whigs kept aloof from him; and when, learning this, they hastened to disabuse his mind of that impression and sought communion with him, they were not only coldly received, but reproved by his intimates for their importunity.

Thinking it their duty to do every thing in their power to avert the threatened veto, they waited upon him in delegations, to apprise him of the feeling which was likely to arise in the country upon this act. One delegation in particular, of great respectability—the Whigs representing Ohio,—called upon him on Friday evening the 13th of August. They told him frankly what they feared. Assured him of the earnest desire of the party to preserve harmony and good will toward the President: represented to him the deep concern of the nation in the Bank question. He protested his own intense feeling upon the subject: spoke apparently with frankness of the difficulties he felt in regard to certain points in the compromise section: suggested an amendment which would render this section acceptable to him: declared his entire freedom from all prejudice or extrinsic influence in regard to the measure: wept;—promised to pray for guidance—and then asked, by way of remonstrance, “Why did you not send me Ewing’s bill?”

“Would you sign that bill?”—inquired one of the delegation.

“I would”—was the reply.

Such was the interview as described by those who witnessed it. The Ohio members left his apartment fully possessed with the opinion that the President was sincerely desirous to have a Bank such as his cabinet minister had reported. Although they had reason to expect a veto of the pending bill, they believed that all difficulty would be removed by adopting the President's plan as it came from the Secretary. This opinion they infused into the Whigs of Congress; and the hopes of a favorable settlement began to brighten.

Three days after this interview—Monday, August 16th—Mr. Tyler sent the bill back to the Senate with his Veto Message.

So far as this act signified his dissent from the Senate bill, it surprised nobody. The recent reports, especially that from the Ohio delegation, had prepared Congress to expect it. But the substance of the Message, and the grounds upon which it placed the Veto, greatly surprised everybody—excepting those only who were in the secret.

The Message presents four objections to the Bill.

First, That it is an attempt to create a Bank to operate *per se* over the Union,—and therefore unconstitutional.

Second, That it is a Bank of Discount,—and therefore unconstitutional.*

Third, That it was not a Bank exclusively confined to the power of dealing in Exchanges, which would be constitutional and eminently useful, if conducted on the plan of the Exchange operations of the old Bank.†

* “I have not been able to satisfy myself that the establishment by this Government of a Bank of Discount, in the ordinary acceptation of that term, was a necessary means, or one demanded by propriety, to execute those powers.—What can the local discounts of the Bank have to do with the collecting, safe-keeping and disbursing of the Revenue?”—*Veto Message*.

† “For several years after the establishment of that institution (the old Bank) it dealt almost exclusively in *local discounts*; and, during that period, the country was, for the most part, disappointed in the consequences anticipated from its incorporation.”—“It had, up to that period, dealt to but a very small extent in *Exchanges* either foreign or domestic, and as late as 1823 its operations in that line

Fourth, That the Assent of States toward establishing Branches was not sufficiently secured.

The first three of these objections apply as forcibly to the President's own bill as to that from the Senate.

If the latter is a bill to operate *per se*, so was the former,—that is, if there be any intelligible meaning in these words, which I by no means assert, for I have never seen any man who could define exactly what the President meant by a Bank to operate *per se*.—But whatever hidden significance there may be in this mystical phrase, we may assume that it applies as much to one scheme as to the other.

The President's bank was more distinctly a Bank of *Local discount* than the Senate Bank. For the latter absolutely forbade discounting in the District, which the other allowed. The discount power was as large in the President's plan as in the old Bank.

Then as to dealing in Exchange, Mr. Tyler's plan encouraged it no more than the other, but left this faculty pretty much where it was in the former Charter.

The Fourth objection is peculiar to the Senate Bill. Yet here the difference hangs by a cobweb.

Mr. Tyler had agreed, by the terms of his own bill, that a State which *once* consented to a branch, should not have power to revoke that consent. He objects to the compromise because it raises an *implied* assent when a State does not *dissent* at the first meeting of

amounted to a little more than seven millions per annum. A very rapid augmentation soon after occurred, and in 1833 its dealings in the Exchanges amounted to upward of one hundred millions, including the sales of its own draughts. The currency of the country became sound, and the negotiations in the Exchanges were carried on at the lowest possible rates. The circulation was increased to more than \$22,000,000, and the notes of the Bank were regarded as equal to specie all over the country: thus showing, almost conclusively, *that it was the capacity to deal in Exchanges and not in local discounts which furnished these facilities and advantages.* It may be remarked, too, that, notwithstanding the immense transactions of the Bank in the purchase of Exchange, the losses sustained were merely nominal, while in the line of discounts the suspended debt was enormous and proved most disastrous to the Bank and the Country. Its power of *Local Discount*, in fact, proved to be a fruitful source of favoritism and corruption, alike destructive of the public morals and the general weal."—*Veto Message.*

its Legislature after the passage of the Charter ; upon which, he argues that this inference of assent might in some cases be contrary to the known fact or avowed wish of the State.—Well ; it is standing on a small scruple when we place the constitutional power of Congress on such an abstraction as discriminates between a power to *establish* a Branch in a State without asking consent, and a power to *continue* a Branch after the State desires its removal.

But I have no wish to argue points or chop logic with a President of the United States ;—and less with Mr. Tyler than with any President that ever lived.

I recount these proceedings only to show how completely this Message bewildered the Whig party. It came like a snow-storm in summer. After all that the President had said to the Ohio members, and to sundry others ;—after the opening Message ;—after the Madisonian and the Herald ;—after the report and commendation of Ewing's bill ;—after all these, it seems he could not go *for discounts* !

The Whig members, upon hearing the result of the Ohio delegation conference, had taken heart and partly resolved, in order to conciliate and to avoid all future difference, to report the Treasury bill and pass it. In perfect good faith and honesty of purpose this idea was entertained by the great majority of the Whigs. But here was the Message giving a flat repulse to any hope from that proceeding.

In the midst of these perplexities and doubts a most strange fact comes to light, and with it another ray of hope.

A member of the Ohio delegation who had visited the President on Friday the 13th, had occasion to visit him again on Monday the 16th—just after the Veto Message had been despatched to the Capitol.

The President said to him, “ I am glad to meet you again. I wanted to see one of your delegation. When, on Friday evening, I told you I would sign Ewing's bill, if it were sent to me, I HAD NOT READ IT. I wish to recall what I said. I could not sign that. If you

will examine the Message I have sent to-day, you will find shadowed forth a much better bank there, one THAT HAS BEEN LONG ENDEARED TO ME."

I do not pretend to give the very words, except in the two remarkable declarations printed in capitals:—I give the substance and words both as reported, in no unfriendly spirit to the President, immediately after the event,—reported in a friendly spirit rather, that farther concession for the sake of harmony might be made.

The fact that Mr. Tyler had not *read* Mr. Ewing's bill, was a new thunder-stroke in the atmosphere of the Capitol.

That he did not know that that bill embraced a power of *Local Discount*!—This, after all that had happened!—It had been in preparation ever since the 20th of April. It had been called for at the request of the President. It had been reported and officially printed in the Documents of Congress and in every newspaper over the land, for upward of two months. The subject had been in debate nearly all that time. It had been the topic of deliberation, with a view to compromise, for the last month. The compromise principle was submitted as a conciliatory proposition between this bill and that of the Senate. "This bill was the President's bill"—said Mr. Cushing.—"The President and his Cabinet had adopted it as a compromise of the vexed question,"—said Mr. Wise.—"It received the approbation of every member of the Cabinet,"—said Mr. Webster.—And yet Mr. Tyler, the observed of all observers, whose interest in this bill and the questions it presented was deeper than that of any man in America—he *had not read it*!

The Whigs, of course, heard this with a lively estimate both of the sincerity and ability of him whom they had set up to rule over this nation, and again congratulated themselves upon the fellowship of so wise and vigilant a statesman.

A hope yet remained. He had "shadowed out" a plan in his Message: a plan "long-endear'd to him."—What was this?—The Message was examined, and

it occurred at once to every one, upon reading his commendation of the Exchange operations of the Old Bank, that the plan shadowed forth in that document—the “long-endear’d” plan—was a bank to be constructed with reference to such dealing in Exchanges as were described to be so beneficial to the Country in the Old Bank, and which should be disabled from dealing in local discounts.

To make sure of the President’s concurrence in this matter, two gentlemen of the highest standing in Congress, —Mr. Berrien of the Senate and Mr. Sergeant of the House,— were deputed by the Whigs to ascertain from him precisely what kind of a bill he would feel himself authorized to approve.

They executed their commission with great fidelity: had an interview with the President; learned from him that he was in favour of a fiscal agent divested of the discounting power and limited to dealing in bills of Exchange other than those drawn by a citizen of one State upon another citizen of the same State. A bill was prepared in conformity with these suggestions. It was submitted to Mr. Webster and by him to the President: was approved, sent to the House of Representatives: reported there and passed.*

* This whole incident is so singular that it is best to give the account of it furnished by the actors themselves.

Mr. Berrien and Mr. Sergeant being called upon to make a statement on this subject, the following papers were furnished. They were published in the National Intelligencer on the 7th June, 1842.

“When the bill for the establishment of a fiscal agent, which had been reported by Mr. Clay, had been returned with the Veto of the President, I was requested to unite with Mr. Sergeant in preparing and reporting a bill to establish a Bank on the basis of the *projet* submitted to the Senate by Mr. Ewing; or such other bill as we believed could become a law. The alternative authority was given expressly with a view to enable us to ascertain, with more precision than was found in the Veto Message, in what particular form the President would feel authorized to approve such a bill; and the whole power was conferred and received in a spirit of conciliation to the Executive, and from an earnest desire on the part of the majority in Congress to co-operate with the President in the adoption of some fiscal agent which should meet the wishes and the wants of the Country. Mr. Sergeant and I waited on the President, and, at my request, Mr. W. C. Dawson accompanied us.

“It is not proposed to detail the particulars of the conversation at

When this measure was first proposed, and before it was passed in the House, the President expressed

this interview, unless it shall be desired by some one who has the authority of the President for asking it. It suffices to state the result. The President, referring to his Veto Message, expressed himself in favor of a fiscal agent divested of the discounting power, and limited to dealing in bills of Exchange other than those drawn by one citizen of a State upon another citizen of the same State. He declared his determination to confer with his cabinet on the question whether the assent of the States ought to be required in the establishment of the agencies to be employed by the Corporation, and also as to the propriety of holding with us that informal communication, promising to inform us of the result by a note to be sent in the course of the day. In the course of the same day Mr. Webster came to the Capitol, with instructions, as he stated, to communicate to me verbally the determination of the President, he (the President) believing that that mode of communication would be equally acceptable with the written one that had been promised. He proceeded to state that the President would approve a bill for the establishment of a fiscal agency limited to dealing in foreign bills of Exchange. And to the question whether he would require that the assent of the States should be obtained for the establishment of the agencies to be employed by the Corporation, he answered that he would not. He suggested the expediency of changing the name of the Corporation, which was acquiesced in: and by an arrangement then made with Mr. Webster, I received Mr. Ewing and Mr. Sergeant at my lodgings at five o'clock of the same afternoon. The details of the bill, subsequently introduced by Mr. Sergeant, were then and there agreed upon, in conformity with the views of the President, as communicated to me by Mr. Webster and repeated by Mr. Ewing: and in reply to the question also proposed to Mr. Ewing, whether the President would require the assent of the States to the establishment of the agencies, he, Mr. Ewing, likewise replied in the negative. The sketch thus arranged was committed to Mr. Sergeant, who prepared from it the bill which he subsequently introduced in the House of Representatives, a copy of which was, as I understood from Mr. Sergeant, before introducing it, sent to Mr. Webster to be by him submitted to the President. This was the same bill which subsequently passed both Houses of Congress, and which was returned by the President with his second Veto.

“J. MACPHERSON BERRIEN.”

Memorandum by Mr. Sergeant.

“In compliance with a request to testify what I know of the matter embraced in the above statement by Judge Berrien, I have carefully examined the same and concur with him in every part of it, excepting only that which details the conversation he had with Mr. Webster. The rest is personally known to me; but not having been present at the interview between Judge Berrien and Mr. Webster, I cannot speak of it from any knowledge of my own. I well remember, however, that Judge Berrien told me of what had passed, very soon after he had seen Mr. Webster (I think on the same day) in substance as he had reduced it to writing: so that I never had a doubt,

great satisfaction at so happy an arrangement, and is said to have declared to a member of the House, in the most earnest and emphatic manner, that the passage of the bill,—which, he added, ought to be accomplished without delay—would lay him under the greatest obligations.

The interview of Messrs. Berrien and Sergeant with the President was on the 18th of August. The Bill was prepared on the 19th and submitted to the President and approved by him. It was then returned to Mr. Sergeant, who, on Friday the 20th, introduced it into the House as an amendment to a bill then pending in Committee of the Whole. On Monday the 23d, at 4 o'clock, it was taken out of committee and passed, without the alteration of a word from the original report, by a vote of 125 to 94.

Every one now supposed all difficulties in regard to the Fiscal Agency question were at an end. The bill was passed in the Senate, without amendment, on Friday the 3d of September.

In six days afterward—Thursday the 9th—it was returned to the House of Representatives with a Veto!—This bill, the “long-endear’d” progeny of the President’s own fancy, met its end from the President’s own veto!

The Message which accompanied the return of the bill is altogether the most extraordinary paper that ever

and have not, of its correctness. This conviction is confirmed by conversations between Mr. Webster and myself, which took place after the meeting with Mr. Ewing referred to by Judge Berrien, and before I moved the proposed bill in the House of Representatives. These conversations were brief, but they were by appointment and not casual; were earnest and to the point,—so that I do not think there was any error in my understanding of them at the time, nor in my recollection since.

“I desire farther to say, as I can do with unhesitating confidence, that my sole object in the whole proceeding, and, I believe, the object generally of those who took part in it, was, by a candid ascertainment and comparison of individual views and mutual explanations, fairly obtained in perfect good faith, to endeavor to conciliate opinion and agree upon a measure which could become a law and meet the public exigency. So far as I know or believe, there was no other purpose whatever.

JOHN SERGEANT.

“Philadelphia. Nov. 2. 1841.”

came from an Executive of this nation. It repeats again and again the jargon of a Bank to operate *per se*. He cannot go for a Bank to operate *per se*. He said so in his former Veto:—this is a Bank to operate *per se*—Ergo, he cannot go for it.—Then comes a dash of rigmarole about “the moral and religious obligations of Conscience and the Constitution,” the sanctity of his oath, and such like. Then a descant on the “great conservative principle” of the Veto, “without the exercise of which, on important occasions, a *mere representative majority* might urge the government in its legislation beyond the limits fixed by its framers”—which freak of a *mere representative majority*, he, Mr. Tyler, will, by no means, permit.—He must be rather harsh in this matter “or commit an act of *gross moral turpitude*.” His duty is “to guard the fundamental will of the people themselves from infraction by a *majority in Congress*.”—

Then, what sort of a corporation is this? It is to operate *per se*. It is *National*, although it is to be established in the District.—You may see it is national, because it has to perform certain duties for the Government. *He* is not the man to be deceived by such a cunning evasion as incorporating it in the District! Then, decidedly it operates *per se* over the Union: that can by no means be tolerated. Even if it were a District Bank,—can you give a District Bank general or national powers? “Who can indulge the idea that this Government can rightfully, by making a State Bank its fiscal agent, invest it with the absolute and unqualified powers conferred by this bill?”

And now, as to these bills of Exchange—what are they? They may be unlimited as to time—they may be renewable—they may be made to answer the purposes of mere accommodation. In fact this thing of Exchange is no better than local discounts:—local discounts in disguise!—I cannot go for any Exchange which takes off anything from the amount of the bill. That’s discount, and discount is unconstitutional—my utter abomination:—Talk not to me of discounts! As

to forbidding persons residing in the same State from drawing bills on each other, which you have put into this charter, what's the value of it as long as bills may be drawn in Philadelphia on Cambden, Cincinnati on Newport?—Another objection;—there is no limit set to the rate of Exchange. And then again, this thing which you pretend to call a National Bank, might actually grow so powerful as to be able even to control the State Banks, which “would either have to continue with their doors closed, or exist at the mercy of this National Monopoly of Brokerage!”—There is the cloven foot of the “Old Monster” as bad as ever!—And again,—worse than all,—being determined to set my face against that unconstitutional enormity of local discount—I remark, “That while the District of Columbia is made the seat of the principal Bank, its citizens are excluded from all participation in any benefit it might afford, *by a positive prohibition on the Bank from all discounting within the District.*”—A doubly monstrous monster!

All this parade of objurgation winds up dolefully with a long-drawn sigh for “the anxious solicitude” he feels “to meet the wishes of Congress in the adoption of a Fiscal Agent;”—a regret in behalf of his unsatisfied conscience; and a whining remonstrance, and prayer for farther time to collect his thoughts, which have been, ever since “the death of my lamented predecessor,” so “wholly occupied in an anxious attempt to conform my action to the Legislative will.”—Congress has surely had glory enough without setting this chaplet upon its brow!—“The two Houses have distinguished themselves by the performance of *an immense mass of labor*, and have passed many laws which, I trust, will prove highly beneficial to the interests of the country, and *fully answer its just expectations.* *It has been my good fortune and pleasure to concur with them in all measures except this.* And why should our difference on this alone, be pushed to extremes?”

With such “skimble-skamble stuff” as this, did he seek to cover his desertion of his post as a Whig, and

to protect his march into the camp of the enemy: to hide his conscious shame from the multitude who were standing by as witnesses to his defection.

He, himself the author of that original idea of a Bank in the District intrusted with the national duty of a Fiscal Agent; he, the author of the Bank of Local Discount;—he, the author of *this* Bank of Exchange, with all its provisions as it stood,—originator, supervisor and approver of this identical scheme, unchanged in letter or syllable as it came from his hand—pours forth such wretched driveling before the whole American people: so coolly abandoning what he had professed and promised; so deliberately taking back all that he had so ostentatiously put forward; with such pitiful appeal for commiseration forsaking his pledge; with such affected martyr-meekness violating his faith!—That he could write *such* a Message—send it to the Legislative Hall where American citizens were congregated—give it to the world of the American people—and hope to be believed—forgiven!

III.

PROGRAMME OF THE TWELFTH OF JUNE.—A SHUTTLE- COCK.

WHAT was the real secret of these vetoes? Was it conscience? Was it political fidelity? Was it deference to the just expectations of the people?

Mr. Cushing in his letter to his constituents, heretofore quoted, said it was conscience—political fidelity—consistency of principle. “He conscientiously disapproved those bills”—says Mr. Cushing:—“in what he has done, he has but acted in accordance with the long-avowed, well-known, and persevering opinions of his whole life.” That

is Mr. Cushing's apology. What a Jack-a-Lantern tramp this gentleman has had, in order to keep pace with the President's rambles!—Hear him, in that same letter. "It was known generally, and it was known particularly to those members of Congress who, by their experience and political position, had the best opportunity and the greatest inducements to obtain a clear understanding of the facts in this respect, that the President of the United States had strong and fixed convictions concerning a National Bank:"—Here manifestly Mr. Cushing plunges into his first quagmire:—*Strong and fixed* convictions!—"that it was his anxious wish, so far as his conscientious opinions would permit, to conform his action in this matter to the wishes of Congress"—most obviously another quagmire:—Congress was seeking to conform to *his* wish: thought they had ascertained it from himself: had his own Presidential word for it:—"that, accordingly, he had reflected much and counseled with his constitutional advisers on the subject, and that among other conclusions, to which he arrived, was this—Either no Discounts; or, if discounts, then assent of States.—The President never lost sight of the fundamental idea originally in his mind;—either no discounts, or if discounts, assent of States."

There is Mr. Cushing's solution most logically put. The Jack a Lantern has left him a full fathom deep in the fen.

Does it solve the riddle of Mr. Tyler's vagaries, in this Bank matter, to throw it into such a dashing syllogism?

Mark these conclusions:

The President's "strong and fixed convictions," "his long-avowed, well-known, persevering and conscientious opinions" were,

First, That it is constitutional and expedient to establish a Bank in the District of Columbia, with all the faculty necessary to a Government Bank.

Second, That it is constitutional and proper to make this a *Bank of discount*, provided the assent of States be required for the establishment of the Branches:—and

Third, That if that assent be not required, then it is constitutional and proper to establish a Bank to deal in Exchange without a power of Local Discount.

These are Mr. Tyler's opinions respecting a Bank, as vouched for by his confidential friend and champion, Mr. Cushing. Possibly enough, at one instant, they were so. Before his first Veto they were broader still. After his first Veto they were narrowed to this. After his second Veto, what were his opinions? Let any man read that Veto Message and say if Mr. Tyler on the 9th of September was in favor of a Bank in the District; was in favor of a Bank of Discount; was in favor of a Bank of Exchange:—whatever he might have been on the 16th of August,—on the 1st of June.

I ask again—What was the real secret of these Vetoes?

When the President came to Washington in April, 1841, in the youthful prime and ardent hopes of his new-fledged power—I believe he came with a hearty spirit of thankfulness to those who had brought him to this extraordinary fortune, and with an honest thought of evincing that thankfulness by a full, fair and manly furtherance of the great objects which had embodied the Whig party. In the glow of this feeling he made that proclamation “you have only lost one Whig to gain another.”—In the glow of this feeling he wrote and published his Inaugural Address, so full of promise—promise that he really *then* intended to keep. In this genial and auspicious mood reappointed the Harrison Cabinet: felt that there was no duty upon him as a magistrate more sacred than that of hearty and zealous co-operation with the Whigs; upon him, as a man, more touching his personal honor, than

to comport himself toward the Whigs with unquestionable good faith.—These, let us have the charity to believe, were his ruling emotions.

When the Message for Congress was prepared these better influences still prevailed—still prevailed in the first four or five days of the session.

But when men gathered round him ; when associations and cliques began to plot and speak out ; when the opposition found they had a man to flatter ; when others found they had a man to lead, the demeanor of the President was remarked to have undergone a change.

There were many in Washington who saw, with inexpressible sorrow, that the President began to grow ambitious and to look to the prospect of another term. Whether this were an original conception of his own, or whether it were infused into his mind by others, it is not my purpose to inquire—but it was lamentably apparent that that idea had taken possession of his thoughts. He has denied it ;—and, as proof, has appealed to the fact that, in preparing his Second Veto Message, he proposed to introduce a declaration that he would not be a candidate.—Whether, on the 9th of September, his conduct had become so equivocal as to make it necessary to resort to this device of denial of his ambitious hopes, is a point of little significance. It certainly is suspicious enough to find Mr. John Tyler, at any period, under a necessity of making proclamation that he is not a candidate for “a second term.”—What put “such toys of desperation” in his mind ?

I say it is significant enough, that Mr. John Tyler should have got himself into such suspicion, as to make it necessary for him to explain that *he* did not seek “a second term.”—For, on this Second Term question, Mr. Tyler was something of a Knight Errant. He claimed to be one of the first men in the nation to denounce it : wrote a letter against it, which has been often quoted ;—

drank a toast which ran in this wise—"Pilgrim Presidents and Traveling Cabinets, the fruitful offspring of the Second Presidential Term: One Term and no Re-election: the best interests of the country demand it.—Will not the popular suffrage sustain it in 1840?"—Indited some pungent essays in the Richmond paper on this point,—if rumor does him justice.—He was a Knight Errant, therefore, as we say, and had broken a lance in this cause—was somewhat Quixotic upon it. There must have been pregnant matter in his conscience which could whisper to him—Say to the world, when you put your Veto on a Bank, you will not be a candidate:—even in so incongruous a way and on so odd an occasion as this, say so.—Truly, the man who, in his category, should be reduced to the strait of certifying, in such wise, that all his original Quixotism in favor of "a single term" was indeed genuine, and not a mere falsehood,—such a man has brought himself into a necessity for better vouchers than his own word!—*Why is he a candidate now*—NOW, after all this zeal of denial? Has he exemplified in his own experience that all his arguments against "a second term" are futile? Has he found out that the incumbent of the Presidency has no inclination or motive to use his patronage and influence to make him friends for an election?—or that these things are not so corrupt as he fancied?—or, being corrupt, that they are none the worse for that?

Mr. Tyler's conduct can be reconciled to no theory but this,—that he had set his thoughts upon a second term. The incidents of the day all pointed to it. His express declaration to Mr. Botts confirmed it.

It was very evident that, *as a Whig*, he could hope for no success in this enterprise. The strong antipathy of the Whigs was arrayed against a second term:—it had been written on their banner. It was not against a second *election*, but against a

second *term*,—whether the first were by *election* or by *accident*—that they had taken their stand. They went against the principle, as tending to corruption,—the principle of a President *de facto* being under inducements to electioneer for another period of incumbency in office. This applied to a Vice-President accidentally elevated, as well as to a President elected. Mr. Tyler knew this, and knew that from the Whigs he could expect nothing farther, even if he had been the worthiest and best beloved in their ranks. Therefore, he meditated desertion from the Whigs.

Having come to this point, he cast about him to make some fair and plausible show of pretext for the deed. He was told—"Quarrel with Mr. Clay, the peculiar favorite, friend, leader of the Whigs:—denounce him as a Dictator:—charge the Whigs with Caucus Domination:—and, above all things, Veto a Bank!—in this Veto you will gain two great helps—the Democracy will call you Deliverer—the Abstractionists will call you High Priest. A Third Party will grow on these foundations which shall be numbered as the leaves of the forest. Head, Chief, Oracle of this third party, the Presidency and all its glories will be yours for another, and perhaps another term."

This advice was taken. Mr. Clay was forthwith denounced as the Dictator—denounced even before Congress had well set about the work of the session; long before Mr. Clay had opportunity to dictate an amendment even to a single measure.

Here I invoke Scapin again.

The New-York Herald of June 12th presents the affairs at Washington in this position—

"1st. From demonstrations in the House it may be safely assumed that there is in that body a majority in favor of some sort of a National Bank, of at least thirty votes.

"2d. In the Senate a similar majority of, at least, three, and probably five.

“3d. Mr. Clay has *the entire control of both Houses*, and his influence has predominated in the organization of all the important committees.

“4th. There is a most thorough and cordial understanding between Mr. Webster and the President. This is a curious fact, and grows out of the political history and present position of each.

“5th. Mr. Tyler and Mr. Clay must quarrel. Mr. Clay is overbearing to an extraordinary degree, and *the President will not submit to his dictation much longer*.

“6th. If the influence of Mr. Clay shall carry through Congress a bank charter, conflicting *at all* with the President’s constitutional notions, *it will be vetoed by John Tyler beyond a doubt: and this act will at once break down both the great parties, Whig and Locofoco—reorganize the masses anew—produce an extraordinary excitement throughout the country, and probably carry John Tyler into the next Presidency, by an overwhelming force, and place Daniel Webster in the line of succession.*”

This was the announcement of the Government paper, in the City of New-York, on the 12th of June, 1841, within the first fortnight of the session, —before Mr. Ewing’s bill was reported to Congress, and before any business of moment had been brought to the view of either House!

Making allowance for the time necessary to prepare and transmit these views from Washington to New-York, scarce a week from the commencement of the session could have elapsed before this proclamation was made of Mr. Clay’s disposition to *play the dictator*. During that week both Houses had adjourned from the 3d to the 7th with a view to organization. Nothing had been done: apparently, nothing but good feeling and pleasant anticipation prevailed.

This paper is very noteworthy for two characteristics: the singular accuracy with which it sets forth the President’s aspirations and the means by

which he hoped to accomplish them ; and the foreshadowing it gives of the precontrived plan by which Mr. Clay was to be vituperated and shorn of his influence. The charge against Mr. Clay of dictating to the President, or manifesting an overbearing demeanor toward him or toward any one else, here, in the first week of his appearance at Washington under the new administration, is sufficiently absurd upon the mere statement of it. The other charge against him of controlling the two Houses, through the organization of the Committees, is childishly false, as any one may see who will examine these committees : as every one at Washington knew.

This paper, however, is a most ominous presignification of the coming events.

Can we read such an announcement as this—this laying off, in advance, a quarrel between the President and Mr. Clay ;—*this prophecy of the Veto* ;—this foredooming of both parties to dissolution ;—this strange prestige of Mr. Webster's fate ;—this reckoning upon the future popularity of John Tyler,—and *this prediction of his candidacy for another term* ? Can we read these remarkable paragraphs, published so early as the 12th of June, 1841, in a journal, the chosen champion of the administration, its flatterer and organ in New-York—can we read these and fail to see in them the casting of a horoscope by an astrologer who consulted his hopes rather than his stars ?

The files of the Herald furnish innumerable proofs, from this time forth, of the effort at the White House to spread abroad the hopes and fears raised by this programme of political action. The effort was so far successful that, from that day, all who were disposed to flatter the President spoke of Mr. Clay as “The Dictator.” Nothing was understood to be more agreeable to the Presidential ear than to hear that word.

The Veto was a more difficult point to carry.

The President stood so committed on the Bank; had given such notoriety to his ambition to establish a Bank, that he lacked the courage to come boldly up to this flagrant tergiversation. He wavered, faltered, writhed to escape. Then, like a man drawn two ways by tugs of supposed interest and real remorse, he fell to equivocation: paltered with both sides. It was lamentable to see a human being so tossed by opposing forces—lamentable to witness the reverberations of such a shuttlecock.

In the alternate visits which he received, from persons of varying opinions on this bank question, each came away with a fixed conviction that the President would sign the bill, or veto, according to the hopes of the visiter.—The last comer always seemed to have him.—To Mr. Smith he protests his inclination to sign:—"If the Bill had only this out, and that in,—he would certainly sign.—In regard to the Exchange Bank, what could be so agreeable to him, as to sign that bill!"—To Mr. Brown, he declares "he will certainly Veto, that or any bill."

"We will prepare the bill to suit yourself: it shall be entirely as you wish it. We will give you the Exchange Bank in your own words"—say those who come from the Whigs.

"That Exchange Bank has been long endeared to me," replies the President. "Pass that; you can do it in three days—I will be under eternal obligations to you. Change the name: call it Fiscal Corporation. I will sign it cheerfully."

"Remember!" ejaculates the other side, in a sepulchral voice—"Veto a Bank, or surrender all hope of future glory. Remember!"

"Alas, I have promised to sign"—groaned the unhappy man. "To this bill I am deeply pledged. How can I escape? Spare me this!"

"Pledged!—are you not pledged to the glorious certainty of another term? Were you not born to

redeem the land? Can you hesitate when such brilliant hopes beckon you onward?—Be a man, and Veto.”

“It is my own bill—there are witnesses against me.”

“Outface your witnesses—denounce the Bill: or look for no favor from the Democracy—look for no third party—look for—”

“If I had not proposed the plan—if I had not seen the bill—if I had not approved it”—again sighed the President.

“Can you find no quirk, no quillet?—you, an old politician! Where are all your abstractions? Take courage. Veto the Bill. Jackson rose upon a Veto; his name will make it popular. So Veto the bill, no matter what shape it take!”

These counsels—these hopes—these terrors prevailed, and the Veto came at last—though well-nigh lost from faintheartedness.

The quarrel with Mr. Clay being now well hatched; Mr. Clay himself successfully denounced as “The Dictator;” the Veto being secured,—the prosperous actors in this little drama had nothing left to do, but to lie by and wait patiently for that promised surging storm which was to wreck both of the old parties, and on whose friendly billows the ambitious Shuttlecock of the day was to be wafted to his predicted popularity.—To a certainty, it has come!

IV.

DISMISSAL OF THE CABINET.—THE CHEATS OF SCAPIN.

THE next movement was to quarrel with the Cabinet. It was very clear that the great game of the programme of the 12th of June could not be played out, in friendly association with the Harrison Cabinet.

That Cabinet consisted of the picked men of the Whig party, and was looked upon as the living personation of Whig principles. It possessed the most commanding talent. It was distinguished for its lofty bearing, its honorable frankness and fidelity, and for its thorough rightmindedness in the doctrines and aims of the party to which it belonged. No sinister object could be accomplished while that Cabinet had sway.

Mr. Tyler had not the courage to attack it openly. On the contrary, to the last, he affected to entertain the most friendly sentiments toward it:—marveled even that any member of it could find motive to resign.

His Veto Message of the 9th of September, whines, as I have said, on the topic of his Whig attachments. "It has been my *good fortune and pleasure* to concur with Congress in *all measures except this*. Why should our difference in *this alone* be pushed to extremes? It is my anxious desire that it should not be. May we not now pause until a more favorable time when, with the most anxious hope that the Executive and Congress may *cordially* unite, some measure of finance may be deliberately adopted promotive of the good of our common country?"—This, on the 9th of September, 1841.—Here is a profession of fellowship. On the 13th of September Mr. Webster said, "I have seen no sufficient reasons for the dissolution of the late Cabinet by the voluntary act of its own members."

It is quite apparent that Mr. Tyler wished to represent himself to the country as holding the defensive: that the dissolution of the Whig Cabinet was not of his seeking: that he was for harmony and union.

Now, it is a fact well known, notwithstanding these professions, that Mr. Tyler had been at work to form a new Cabinet: to get rid of the old.

In the first place, he held no such free communication with his Cabinet on these delicate questions of the Veto, as a friendly President would hold with officers so confidentially connected with the administration.—They were taunted with this in the public papers.

On the 10th of August the Herald letter has the following.

“The impression is gaining ground that there must be an entire recomposition of the Cabinet in the event of a Veto. Every member, it is understood, lent himself to the views of Mr. Clay, and encouraged the subterfuge which is facetiously called a compromise, and no one of them, therefore, can sustain the President in a Veto. Is it not obvious, then, that there must be a dissolution? Up to this morning not one of his constitutional advisers was apprized of the President’s determination about the Bank Bill. It is apparent, therefore, that there is no cordial understanding between the Executive and his ministry, and a change must come of course.”

From this time forward this correspondence is full of hints of the President’s dislike of his cabinet. Their successors are frequently named—several of them in accordance with the subsequent appointments.

On the 6th of September a letter singularly impertinent is published. As if impatient that the Cabinet had continued insensible to these hints so long, Scapin writes in terms of insolent insult.

I make more extracts from this letter than others—because, though coming from the back stairs, it is very notable as the language of a familiar at the White House.

“The Bank Bill will be returned on Wednesday or Thursday, with a Veto Message to the House of Representatives where the bill originated. The Clay men have held a caucus and decided that it will be best to receive the Message without any particular demonstrations of hostility to the President. Their animosity has cooled down to a calculation of chances. They think it wiser to receive the Message with some deference to the character and position of the President, *by which course of proceeding it is hoped a dissolution of the Cabinet may be prevented.* In this way they propose respectively to return to their constituents, and, by a common movement, arouse the people against

Mr. Tyler, *while they are still in league with the Cabinet.* They are to return to the siege in the shape of indignation meetings, newspaper denunciation, and other affiliated hostile movements, extending all over the country, while in the interval of a calm of a few weeks, it is hoped the President will, in his great good nature, confide the keys of the fortress to *their allies and his secret enemies.*

“Were the Clay men to denounce the President just now, it might lead to an immediate breaking up of the Cabinet, and *these magnanimous gentlemen might lose all future chance of getting offices.*—The Cabinet, one and all, are hard at work to allay all open evidences of a rupture, and counseling their friends to go home and raise the standard of revolt there, *while their own efforts are directed to undermine and circumvent the President here.* This is their game. *Who would have believed that high-minded and honorable men, for such members of the Cabinet ought to be, would thus concert a system of party movement, by which to destroy the very man at whose will they hold their offices, and who is constitutionally responsible for all their official acts? What treachery! What ingratitude! Why do they not act like men, and, at once, give in their resignations, and suffer the President to bring to his aid such men as he has confidence in? Nothing can exceed the industry of the President. He rises early and retires late. Every hour of the day is devoted to his duties. He is compelled to look over papers and decide on a great mass of matters that would be handed over for the action of the Secretaries if they were men really his friends; but he knows full well the secret objects the leading members of his Cabinet have in view, and, of course, he is constrained to do almost every thing himself.* There is a total absence of all energy in every branch of the Government. The cause of all this is obvious. *The President and his Cabinet are mutually mistrustful of each other,—there is, there can be, no cordial, confiding co-operation between them. The Cabinet are playing the game of the President's enemies, and desire nothing so*

much as his defeat and dishonor. As the thing works now, the President is forced to play into Mr. Clay's or Mr. Webster's hands. The Cabinet know that the President feels this to be his position, and yet they do not, will not resign. Look at the dictatorial tone and language of the Richmond Whig, the Boston Atlas, the Wall-street press—papers that have always defended Mr. Webster and Mr. Clay—these are the papers which are the most bitter and the most insolent in their attacks upon Mr. Tyler and his friends. Who can doubt that these papers are prompted to the course they pursue by Mr. Webster and Mr. Clay? Mr. Clay is pretty open—he likes a fair fight, but Mr. Webster, who is every inch a coward, stabs the President through friends whom he affects to disavow. Add to this an inordinate love for the honor and emolument of station, and a desire to pervert their official influence to the purposes of selfish aggrandizement hereafter, and you have an explanation of the anomalous circumstance of men of reputation and character holding on to office, while it involves personal degradation, and indicates both a total want of self-respect and what is due to the President of the United States.”

No idle, chattering gossip was this of floating scandal, or licentious coinage of quidnuncs of the capital. It was a voice from the innermost chambers of the President's household. It tells of his early rising and late lying down, his private labors and his secret cares, the silent griefs of his soul. Nor was it current rumor and daily news, such as fill the pages of unprivileged correspondents;—but it is the earnest, sorrowful defence of the President against the pressure of an annoyance which rests upon his heart—the companionship, namely, of men who were in his way.—It is the President himself speaking through this unofficial and irresponsible organ more authentically than he spoke in levées or state papers. It is a direct strenuous effort to enlist public sympathy in his behalf against a Cabinet he could not manfully look in the face.

The author of this letter was a familiar and daily inmate under the President's roof, of free and unquestioned access at all times; having the entry of the private door; a frequenter of the President's board and family circle, and sharing the confidences denied to other men. The journal, too, in which this was published, was the President's special favorite—the only defender he had out of the City of Washington;—by his orders the recipient of government emolument and patronage;—daily placed upon his table and read, for its flatteries and advocacies, with eager interest. The officers of the Cabinet were well aware of this;—could not but meet this paper whenever they went to the President's house. Here was this letter and others of a kindred stamp: here was the author of the letter unrebuked,—not only unrebuked but fostered, cultivated, notorious to all Washington for his terms of favor with the household. This letter especially unrebuked—unchallenged,—uncontradicted. How could they remain, after this, in the Cabinet?—as gentlemen—as honorable men, how could they maintain farther association with the man who committed his cause to a presumptuous underling that dare thus libel them?—I protest, I think this letter alone would have justified a rupture. Such an insult could not be offered by an honorable President to honorable Secretaries. It has no parallel in our past history—I hope will never find one in our future.

Mr. Webster, however, thought there was no reason for the resignation of the Secretaries.—Well—that is a matter of taste—I am not disposed to dispute it with him.—If I were Daniel Webster, I think I should have resigned. Mr. Webster was deceived. He thought, at least, there was no distrust *of him*.—Manifestly on the 12th of June his resignation was not in the programme. Even now—we have his own word for it—withstanding all that had passed, as late as the 13th of September he had every confidence that the President would co-operate with the Whigs “in overcoming all difficulties.” “It is to the union of the Whig

party"—said he in his letter—"by which I mean the whole Party, *the* Whig President, the Whig Congress, and the Whig people, that I look for a realization of our wishes."—

Mr. Webster was deceived, at least, in this.

Some of the members of the Cabinet were astute enough to see that the President desired to get rid of them, before this time. They resolved, at all hazards, to resign. Every sentiment which could move honorable men revolted at the idea of holding a confidential relation where there was no confidence. They were persuaded by friends to wait a little. It was a current opinion at that day that the Cabinet ought to wait *to be turned out*. That they should not by a *voluntary act* abandon their posts. Many thought otherwise. The majority of the Cabinet themselves thought otherwise. They delayed but a few days after that letter of the 6th. The Veto came on the 9th, and the pitiful moan for farther time and harmony.

On Saturday the 11th, the whole Cabinet, except Mr. Webster, resigned.—Not because John Tyler vetoed a bank; but because he deceived those who trusted him.

On Monday Mr. Tyler had a new Cabinet ready at his hand:—the very men the Herald had announced, almost a month before.

What astonishing fertility of resource!—exclaimed the flatterers of the President. What wonderful readiness in selecting men! What self-possession—what promptitude,—what decision! ejaculated the Madisonian.—A new cabinet in twenty-four hours! Napoleon at the Bridge of Arcole!

V.

ASPIRATION AND INSPIRATION.—THE MANIFESTO.

THE conduct of Mr. Tyler would seem to be inexplicable by any rule of estimate of human actions. Such laborious wandering out of the way, such intrepidity of indirection, such an "extravagant and erring spirit," such unprofitable perverseness,—how shall we account for them?

Very conclusive is it to us that the fancies which took possession of his mind were not the ordinary whimsies which sometimes beguile weak men from the plain career of duty—but some hallucination rather, that found peculiar sustenance in the President's temperament; that fed upon that Malvolio Vanity of his, and derived vigor from that immoderate intoxication of unexpected power which had shaken the balance of his judgment.

To speak of what has passed as "weak, vacillating and faithless," is almost to use the phrase of amiable apology: such language sounds like palliation of some lamentable madness, which the kindness of friends would conceal even from themselves, by imputing the conduct that suggests it, to some less shocking though more depraved weakness of nature or infirmity of temper.

There were two letters published just after the Extra Session which may throw some light on this extraordinary phenomenon. They are letters from members of the House of Representatives; friends of the President,—one of them a special friend;—both gentlemen of high repute;—worthy of all belief; in a situation to know; and eminently capable of inspiring an interest in what they say. These are Mr. Wise and Mr. Ingersoll. The first gentleman representing what was

called the Guard, consisting of six members of Congress distinguished for their support of Mr. Tyler: the second a prominent leader of the Locofocos.

Mr. Ingersoll's letter is remarkable for a scrap of history which it supplies, and for a hint of the source of the President's action which it suggests. Both are sufficiently curious.

"Mr. Tyler"—says this authority,—“is an instrument of overruling Providence, often marvelously snatching this Republic from apparent jeopardy, to rescue it from the calamities of the late overwrought extraordinary session. The chapter of strange accidents conducting him to the Chief Magistracy *is said to nerve him with a sort of religious belief that he is destined, through higher power, to wonderful instrumentality.* Uncompromising champion of the radical politics of the Virginia Platform, *he stood erect upon it, almost alone, environed by party adherents opposed to his principles, confronting party opponents sympathizing with those principles:—*fearlessly sustained by a small sect of inflexible politicians, unjustly stigmatized as a cabal or kitchen cabinet, *counteracting an official ministry without the President's predilections, if not their antagonists; in fact, the cabinet of another, most of whom have just departed this political life after six months of a fitful ephemeral existence.*”*

Mr. Wise's letter contains a suggestion of the same import as the above. Manifestly this idea was afloat in the Presidential atmosphere. Had it not its spell? There is something very notable in this shadowing of high influences on the conduct of Mr. Tyler.

Mr. Wise seems to find evidence in the strange elevation of the late Vice-President, of something more than ordinary human vicissitude: almost imputes blasphemy and Atheism to those who regard it as an ordinary human event, or believe it to have come from less than a special interposition of Heaven.

“Providence placed in power a Constitutional Re-

* This letter is dated Washington, Sept. 13, 1841.

publican," says Mr. Wise.*—"He is called 'His Accidenty' by those who could not make a President by design; and by this *scoffing* title the Dictatorship seems to *deny a Great First Cause* whose Providence overrules human events and the destiny of nations, and to ascribe the death of the lamented Harrison and the succession of the second choice of the people to a blind chance."—"This is not the *first time that the stone rejected of the builders has become the chief of the corner.*"

I shudder when I read these words and think of the comparison to which they point.—Could such an idea have got possession of the President's imagination? Then, as to the President's friends—the Guard:—"I thought that the Guard around the Constitution might be less than a Corporal's in Congress, but I knew well that politicians were not the people, and that it would prove a host of freedom and '*a host of God*' in the country."

This letter ends in the same strain.

"The true sovereigns are true to themselves, and there *is* an Overruling Providence as in our fathers' days, and there will be forever, to protect the liberties and reanimate the hopes of the People in this God-favored land. I give you, then, my cordial congratulations, one and all; and, as a perpetual sentiment for all Constitutional Republicans, I reverently propose to you—*God and the People.*"

I will make no comment on this letter farther than to express my hope and my belief that it was the inconsiderate effusion of a heated and disturbed period, when men's minds were too much agitated by passing events to allow the due measuring of phrases. This much I say for the sake of the good-will I bear to the author, who is commended to the Whigs by the *memory* of many valiant blows struck in their cause in *past days*.—I have not forgotten them.

These letters are significant as they point to the pe-

* Letter to John B. Coles and others, Nov. 5, 1841.

culiar conceit which may, perhaps, furnish a key to Mr. Tyler's eccentricities. Mohammed took many liberties on the score of his divine mission, which even he, doubtless, would have regarded as very unbecoming extravagances in a mere every-day caliph.—Caliph Tyler may have thought his freaks altogether *selon les règles*, upon the same reckoning. Nothing short of some such potent influence as this, may satisfactorily account for the strange things we have witnessed.

The result of this career of the President, during the Extra Session, was the resignation of the Cabinet, as we have before said.

I do not speak for the members of the Cabinet: I have no warrant from any gentleman, at that day connected with the administration, for what I say—but I speak what was well known in Washington at the time, that, at least, as regards a portion of the Cabinet, the resignation was reluctantly delayed. It was delayed in deference to the advice of those who still hoped that affairs might take some unforeseen turn favorable to harmony. They resigned, however, at last,—as they have stated in their own published letters, wherein they have given a history of the events to which they were witnesses,—not because the President differed from them on the question of a Bank. They threw up their places because he had forfeited his word, treated them unworthily, and had manifested his hostility to the principles and pledges of the party with whom they were associated, to which he professed to belong, and who had given to him all the consideration and importance incident to his station.

It is wholly untrue—grossly and signally false—that the rupture with the President was occasioned by umbrage taken at his dissent from a Bank.

It was, in no degree, to be assigned to that simple act. The Whigs, doubtless, would have felt greatly chagrined and mortified at the use of the Veto on such a subject. They had hoped, in the election of General Harrison and Mr. Tyler, that they had put an end

to the hazard of that odious exercise of Presidential prerogative which had become doubly odious in General Jackson's hands. They would, therefore, naturally enough, have felt some annoyance at such an exhibition of this prerogative by an administration of their own making. They would, very probably, have abated much of their respect for the judgment and capacity of Mr. Tyler, upon the promulgation of a doctrine so absurd as that conceit of his regarding the Assent of States. All this they might have felt, and would certainly have greatly deplored. They might have acknowledged they had mistaken the qualities and fitness of Mr. Tyler for his post:—but they would not have quarreled with him; even have censured him, for an honest exercise of a conscientious conviction of duty—had such been his conviction.

If he had frankly said that, on this point of the Bank, he felt constrained to differ:—if he had manfully told those around him, and who had an interest in the success of his administration, what he *could not* do, or what he *could* do; and, above all things, *had kept his word*: had demeaned himself as an upright, sincere, and earnest magistrate in his high place; had not treasured up against himself such a store of broken promises; had not so trifled with the capable and honorable men around him; had not thrown himself into such suspicious associations; had not so vibrated between his will to desert and his fear of the event; had not so concealed himself from those who had a right to know his sentiments, and so disclosed himself to those who had no right to his confidence—he might have put his Veto upon a Bank—he might have asked and obtained delay—he might have disappointed all that eager hope which prevailed in the country for the settlement of the currency—hope that he had himself raised in his Inaugural Address and in his first Message—and yet there would have been no rupture, no resignation, no repulse of the President by the majority of Congress.

Never was there a party placed in such a difficulty

before, who showed so earnest a spirit of toleration, concession and surrender of personal feeling as the Whigs of Congress on this occasion. His Bank, as it came from the Treasury, was, by no means, to their liking. They did not like to surrender the broad principle of placing this institution wherever they thought the public interest might suggest: in deference to the President they agreed to the District of Columbia. The application to the States for the power to establish branches, under any modification of it, was against all their preconceived notions of Constitutional right: in deference to the President they consented to the compromise: were even willing to take the bill as reported by Mr. Ewing. They readily and cheerfully concurred with the President in his plan of the Exchange Bank, even to the frivolous point of changing the name, and hastened, with the greatest alacrity, to pass it, when they thought it would meet his view. They carried their concession to the utmost verge of compliance in every item compatible with the one great purpose—the chief purpose of the session in the estimate of the nation—the arrangement of the momentous question of the Currency. All was unavailing; and they saw all fail in a secret intrigue of the President to break up the Whig organization, and, upon its ruins, to lift himself to the Chief Magistracy for a second term.

Feeling this deeply, sorrowing over the event, and indignant at the unworthy evasions and miserable throes of a selfish ambition which they had detected, they could not but disavow all connection with him and his fortunes. They met together in the last moments of the session—such as were at the seat of government, for many had set out for their homes—and published their Manifesto, by which they proclaimed to the nation that, from that day forth, all political alliance between them and John Tyler was at an end: that from that day “those who brought the President into power could no longer, in any manner or degree, be justly held responsible or blamed for the administration of the Executive branch of the Government.” At the

same time acknowledging it to be "the duty of the Whigs, in and out of Congress, to give to his official acts and measures fair and full consideration, approving them and co-operating in their support where they could, and differing from and opposing any of them only from a high sense of public duty."

There were, it is true, a few Whigs of Congress, who, although concurring in the sentiment of reprobation of the President, felt some reluctance against joining in this public proclamation. The large majority, however, eagerly adopted the measure, as no less due to their own sense of responsibility to the country, than it was to the justification and support of the retiring Cabinet.

Subsequent events have more than vindicated the truth, the justice and the policy of the Manifesto.

VI.

THE MANIFESTO.—DANIEL WEBSTER.

THE Manifesto was a plain, direct paper that spoke right out, stating the case of the Whigs fully to the country. It told what they had done at the Extra Session: what they had failed to do, and why. It disclosed their observation of the past conduct of Mr. Tyler, and their apprehension of his future; the withdrawal of his confidence from the Whigs, his affinity with their enemies; and it announced their entire separation from him. It proclaimed the principles upon which the Whigs would continue, as in past times, to maintain their organization.—At the head of these it placed

"The reduction of the Executive power, by a farther limitation of the Veto, so as to secure obedience to the public will, as that shall be expressed

by the immediate Representatives of the People and the States, with no other control than that which is indispensable to arrest hasty or unconstitutional Legislation."

Here was the old war of Privilege and Prerogative revived by the Whigs, against a Chief Magistrate whom *they* had lifted into Power! Sad and bitter fruit of the indiscretion of 1839, which committed so just a cause to so unfit a leader! Strong pledge to the nation of the sincere and faithful attachment of the Whigs to the great principles upon which they were originally embodied!

The Veto had become distinguished in a previous administration for its power of mischief. Mr. Tyler has given it a new character; he has made it ridiculous.

The Manifesto had the full concurrence and actual participation of from sixty to eighty Whig members—being nearly all who were at the seat of Government when it was adopted. With few exceptions, it has received the approbation of every Whig member of the 27th Congress.

Whatever doubts may have been felt by any at the time of its promulgation, as to the *expediency* of making it, those doubts quickly vanished before the rapidly-succeeding developments of the Tyler administration. We have been surfeited with proofs of the eminent propriety of that paper.

The only doubt which influenced any member on this subject, at the date of the Manifesto, had respect to the position which Mr. Webster occupied in the Cabinet. If he had retired with his colleagues, the concurrence in the Manifesto would have been unanimous. Whatever modicum of strength Mr. Tyler retained with any portion of the Whig party in the United States, is due to the name and influence of Daniel Webster.

It is not my purpose to censure the Secretary; even to *complain* of what he thought it right for him to do in that emergency. I am not willing to re-

nounce a Whig whose life is so crowned with noble services to the State as the Great Man of Massachusetts. But I could wish that his remaining in the Cabinet had been accompanied with such explanation as his case admitted:—at least, that it had been accompanied by no censure expressed or implied against his compeers.

There were, undoubtedly, strong public motives to excuse, if not to justify, his temporary maintenance of his post.

The situation of the country, as regards our relations with England, was very critical. Mr. Tyler, and those who were called his peculiar friends, had adopted a tone of exasperation toward England, that was well calculated to defeat a reasonable hope of amicable arrangement of existing difficulties with that nation. The debates of Congress, on the part of these friends, were characterized by an effort to create an artificial sentiment of hostility against that power, at a time when, from the real motives to a quarrel, great judgment and discretion were requisite to save the country from the calamities of war. It was apparent to all who closely observed the temper of the Executive and his allies, that Mr. Tyler counted on making popularity by a war;—a measure at all times capable of enlisting a certain amount of administration support in the country. The President hoped to prop his sickly acceptance with the people, or,—to speak in phrase more germane to his estimate of himself,—to augment his already boundless influence, by a measure which should flatter the glory-seeking spirit of the nation in furnishing it an occasion for martial broils.

So heady, pernicious and reckless a temper as this, very cogently suggested to Mr. Webster, doubtless, the duty of not abandoning his watch. The incapacity of the Administration at a moment so critical;—not only its incapacity, but the fatality of its mind toward an incalculable mischief,

may be regarded as presenting a patriotic invocation to one so conscious of his power as the Secretary, to stand his ground and save his country from the rash folly that threatened it.

I give Mr. Webster full credit for a due appreciation of this sentiment. This impression soon became common; and the Secretary, it may be said, was excused, justified, applauded even, for the sacrifice of personal ease he was supposed to make in holding alliance with the Tyler Cabinet until the ratifications of the Treaty of Washington were exchanged.

In view of this, the Whigs were reconciled to bear the loss they had sustained, in another aspect, from Mr. Webster's refusal to move with his colleagues.

At this point my vindication stops. Every Whig saw with sorrow that, when the ratification of the Treaty was complete, Mr. Webster did not resign. With inexpressible pain, every Whig in the land read or heard the speech in Faneuil Hall: saw Mr. Webster go back contentedly to his post: witnessed his consent to the glorification of John Tyler, in conceding to him the honor of having accomplished that happy pacification of two great powers whose collision would have been long deplored as one of the most signal misfortunes in the history of either. Glory to John Tyler the Pacificator! to him who had stimulated every passion of discontent that could embarrass the negotiation: to him who had suffered to pass without rebuke the conduct of the minister at Paris, in attempting to embroil the two countries through a most unwarranted interference in the settlement of the Quintuple Treaty—not only to pass without rebuke, but to meet his approval: to him who has been distinguished, both through his own direct action, and through the officiousness of his son, encouraged by him, for an undignified intermeddling in the domestic affairs of the very nation whose difficul-

ties he presumes to believe *he* settled! — Glory to *him* for the Treaty of Washington! And that Mr. Webster is willing to certify to *his* share of the glory! Mr. Webster, whose chief justification for remaining in the Cabinet was that he might counteract and disarm the vanity that could mar, and which, in no contingency, could make what was good! — Who has not seen this with sorrow!

If the Fanueil Hall speech had been what the Whigs of the nation hoped it would be; what those who invited Mr. Webster to that Hall desired it might be; what all the true friends of Mr. Webster thought it could only be—he would not now have to complain that his attachment to the Whig party was drawn into question.

Still, the Whigs will pardon much to Daniel Webster:—more than to most other men. They will pardon much for the sake of his past history: a history full of glorious remembrances; redolent with the odor of Constitutional Liberty. They will not easily be driven to forget that, in the weary days of their adversity, his firm foot was planted upon their ramparts, nor withdrawn as long as danger threatened: that in the murky night when the enemy was creeping toward our Citadel, he stood faithfully upon guard, with a constancy that “outwatched the Bear:” that in the assault his voice of exhortation rang like a clarion: that in the *mêlée* his stalwart form rode on the tide of battle where the heaviest blows were struck; and whether the issue were defeat or victory they were ever accustomed to find him at hand ready to console or applaud. While such recollections cluster around his name, the Whigs will forgive much to *Cœur de Lion*—forget much.

They know his dogged, moody temper; his intractable self-will; his fretful waywardness. They have often seen these scowling on his broad brow, and flashing in the awakened fire of his eye:—seen

them often, not without a sigh. But they know that his faults are not the faults of a temper which deals in dissimulation or meditates over schemes of treachery : the faults, rather, of a mind that will not brook delay, which has not trained itself to patience, which thinks of its hopes "not wisely, but too well."

They will yet pardon much to Daniel Webster.

VII.

JUSTICE TO JOHN TYLER.

FROM the date of the Manifesto we have but little concern to speak of Mr. Tyler. His career, from that period, has been a persevering retrograde upon the path of his duty. It is marked by flagrant dereliction of faith to his formerly-professed principles, and by successive compliances to an enemy whom no excess of infidelity has yet been able to win.

He who dwelt in such pitiful accents, in his last Veto Message, upon the cordiality with which he had sanctioned all the Whig measures but one, has systematically devoted himself, ever since the close of the Extra Session, to the wretched endeavor of breaking up the party who made him what he is, and of conciliating those who opposed his election, by the surrender of those measures, and with them of every pledge upon which he came into power.

His friends, with his concurrence, at the next session of Congress, presented in his behalf two schemes for regulating the currency. The one was a National Bank, to be solely owned and conducted by the Government ; the other was the exploded Sub-Treasury system. He who had shown such sensitive constitutional scruple against a Bank which, for forty years,

had received the sanction of every authority in this government, suddenly, in the depths of his perplexity, became the patron of the only true "Monster" this nation has ever seen—a Bank of Exchange, a Bank of Discount, a Bank *per se*, belonging alone to the Government, without the vestige of a pretext of its being either "necessary or proper."—A scheme which could not gain one poor vote in either House to do it honor. He who had been so emphatic in denouncing the Sub-Treasury, suddenly, in the depths of his perplexity, was willing that his friends should stake his hopes upon this same measure disguised with a few extra faculties of dealing in exchange. And between these projects, wide as the poles asunder, lying on the extremest verge of the circle of ultra political opinions, the President vibrated like a pendulum, driven by opposing hands, as if in sport to show how light a touch could sway the motions of such a toy.

He who had made the Distribution of the proceeds of the public lands a cardinal measure in his Message ;—who was even willing to bind them up in a Bank capital ; who had witnessed, at the Extra Session, the unhappy restriction, which necessity compelled the Whigs to submit to, in the limitation put upon that distribution by the Anti-Tariff party,—witnessed it, we must suppose, with regret, if his professions in favor of the distribution were to be believed—now, at the second session, applied his veto to prevent the repeal of the restriction.*

* The purport of the restriction introduced into the Land Bill was that the distribution should not take effect if the duties were raised above twenty per cent. This limitation was forced upon the bill by its enemies, aided by the vote of a few Southern Whigs opposed to the Tariff. The bill was taken, with this restriction, by the Whigs at large, rather than lose it ; with a determination, on their part, expressed in debate, to repeal the limitation whenever they had the power. The argument was that the same vote which could raise the Tariff above twenty per cent. would be sufficient to repeal the restriction. It was regarded as a device of the enemy, and submitted to only under the compulsion of circumstances. Mr. Tyler, who had recommended the Distribution *as an act of Justice* to the States, for whom, he affirmed, the Government was but a Trustee (see his Message June, 1841), had originally as little expectation of the re-

He who had professed to be friendly to a Protective Tariff, now refused his assent to a bill which was designed merely to continue the existing duties for one month, in order that time might be obtained to mature a permanent bill upon the subject: this for no better motive, that we can ascribe to it, than to furnish a proof of his complacency to a party who have shown as little respect for him as they have shown of favor to the Tariff or the Distribution.

He who had so ostentatiously inveighed against the corrupt use of Executive Patronage; who had uttered such an emphatic censure against the sin of office-holders intermeddling in the political field; who had even enacted the farce of issuing a special circular of warning, from the State department, against all offenders in such wise: who had invoked Congress to take this matter in hand and put some qualification on the removal of officers*—he it was who subsequently drove Jonathan Roberts from the collectorship of Philadelphia, because he would not remove some twenty

striktion, and, before his desertion, would have had as little relish for it, as any Whig in Congress. After his desertion, he recommended the Repeal of the Distribution, March 25, 1842, upon the ground that when he prepared his Message for the Extra Session, he urged the Distribution *in view of an anticipated Surplus Revenue!*—*A Surplus Revenue anticipated in June, 1841!*—In fact, one of the arguments of his Message was that the Distribution would be a saving to the Government to the full amount, in relieving it from sundry “appropriations to domestic objects.”

* The following passage occurs in his Message of December, 1842 —“I feel it my duty to bring under your consideration a practice which has grown up in the administration of the Government, and which I am deeply convinced ought to be corrected. I allude to the exercise of the power which usage, rather than reason, has invested in the President of removing incumbents from office in order to substitute others more in favor with the dominant party. My own conduct, in this respect, has been governed by a conscientious purpose to exercise the removing power only in cases of unfaithfulness or inability, or in those in which its exercise appeared necessary, in order to discountenance and suppress that spirit of active partisanship on the part of holders of office, which not only withdraws them from the steady and impartial discharge of their official duties, but exerts an undue and injurious influence over elections and degrades the character of the Government itself, inasmuch as it exhibits the Chief Magistrate as using a party, through his agents, to the secret plots or open workings of political parties.”

or more of the subordinates in the Custom House under his charge, for no better reason than that they were suspected of being Whigs, and place in their stations as many supple minions of the Executive. In following up the same corrupt purpose, he removed Gen. Van Rensselaer from the Post Office at Albany, and, subsequently, many of the most approved, effective and honorable officers of the Government from stations of high trust, to make way for that wretched crew of parasites who render to his vanity a coarse and acceptable flattery, by their assiduous conversancy with all the low schemes of political traffic which may sustain the absurd hope he ventures to indulge of a second term.

I pass by the countless freaks which his inane ambition, in other ways, has encouraged him to practice upon the forbearance of the nation: his seditious attempt to foment discord by the extraordinary and unconstitutional measure of recording, in the State Department, his objections to the single district clauses of the Apportionment Bill,—the wisest and most equitable enactments of the Twenty-seventh Congress: his Protest against the Proceedings of the House of Representatives on his Veto of the Tariff Bill: his refusal to impart information in reference to the Cherokee frauds, upon the requisition of Congress:—I pass these and other caprices not less conspicuous, and consign them, without comment, to that judgment which they have received from all intelligent men. My purpose is not to follow Mr. Tyler beyond the confines of those delinquencies which have prevented the Whig party from redeeming the promises of 1840. I have no desire to pursue him in that devious flight which carried him at last to the bosom of his old adversaries,—and from which he has been buffeted away, with the contumely that ever awaits a leader in command who is insensible to the peculiar disgrace of deserting his colors in the moment of trial.

There is poetical justice in his fate. He has fallen the victim to his own easy virtue. They who first

seduced him have affected to cast him off, as tainted, spoiled of name and fame—alas!—

“Too soon made happy and too late made wise!”

He now remains an object not less avoided by the friends he has deceived, than by the enemies upon whom he fawned. Not even his preposterous imaginations of power and influence—“of popularity second only to that of Washington,” as his flatterers were wont to say—not even these supply him now with one residuary hope or topic of consolation. The fly upon the wheel, that, but yesterday, deemed its swift revolution the product of his impulse, finds to-day his utter want of weight to turn it. He who was but lately the Merry Andrew of the farce, and took to himself all the applause which other actors on the stage had won; who was so practiced in harlequinade and found so much to exalt his self-esteem in the rapidity, if not the dexterity of his changes,—he has come to the conviction how lamentably forlorn a puppet President may be, whose demerits are unvarnished with the skill to render Official Power respectable even to that small troop who feed upon its favors. The office-holders themselves are deserting him! That conscience, which was the first instrument of his jugglery, now haunts him like a fiend upon his path: he can advance to no friendly shelter, and yet he dares not turn back, or look behind:

“Like one who on a lonesome road
Doth walk in fear and dread,
And having once turned round—walks on
And turns no more his head,
Because he knows a frightful fiend
Doth close behind him tread.”

I should not have dwelt so much upon the topics presented in the history of that brief interval between the accession of Mr. Tyler to the Presidency and the date of the Manifesto, if it were not that this history became important in answer to the question—Why have the Whigs failed to perform *all* their promises?

why have they not rescued the country from the tyranny of the Veto? why not secured the Legislative Privilege against the encroachment of Executive Prerogative? why not established the single term; restrained the corrupt use of Patronage; settled the question of the Currency; distributed the proceeds of the Public Lands?

These questions are answered in the review I have given. But for them the administration of Mr. Tyler might have been passed over as a blank—as a Parenthesis,—to use the phrase of a speaker in the House. It has no significance in the nation. It furnishes no precedent: it will never be remembered as an example. It is the holyday of the Abbot of Unreason with its thousand follies,—its mummeries and morrice-dances. * We shall never have the like of it again.

After all, it is not without instruction. We require a beacon to show us what to shun, as well as a guide to teach us what to pursue. In this point of view, Mr. Tyler's administration will have a place in history. It will teach the people never again to neglect the question of the Vice-Presidency. It may even warn them against placing incompetent men in any public station. If it does so, then the administration of Mr. Tyler may be considered a benefaction. Thus we find a moral in so great an evil as this.

His few partisans in the nation are clamorous in demanding Justice to John Tyler. Justice, assuredly, he will obtain from the pen of History.

It will represent him as a President accidentally brought into power, who, while the sudden honors of his station were yet new, manifested a heart full of gratitude to his friends and replete with good resolutions to serve the great public interests which had combined to place him where he was. It will describe him as vainglorious, weak and accessible to any extravagance of flattery; of a jealousy quickly provoked by the ascendancy of superior minds, and nervously sensitive against the suspicion of being under their influence. That, from the fear of such an

imputation, he had thrown himself into evil associations, and surrounded himself with private, irresponsible counselors who, neither by station nor capacity, were entitled to give him advice, and who fatally drove him into an open rupture with those whom it should have been his pride to call his friends.

Variable and infirm of purpose, he will be exhibited as ever halting between opposite opinions. Anxious to impress the world with a reputation for inflexibility, he will be shown to be, in fact, without a judgment of his own, and resolute only in avoiding that obvious road which, with least embarrassment to himself and least difficulty in the selection, it was his plainest duty to pursue. It will be truly said of him that it cost him more trouble to find the wrong way, than ordinarily perplexes other men to discern the right. That, in seeking excuses to differ from his friends and gratify his enemies, he was perpetually shifting from one awkward and difficult device to another, without the least attention even to the appearance of consistency, until he succeeded, at length, in alienating from his society every man whose support he should have desired; at the same time imbittering the separation with an unhappy distrust of his fidelity to those principles to which he was bound by plighted honor. That while he was ever changing his ground, conceding, retracting, affirming, denying, his concessions were made without sincerity, his retractions without excuse, and his conduct in all distinguished for its want of dignity. That, with a fair though moderate reputation for capacity, before he came to the Presidency, he lost this in the first few months of his service; disappointed the hopes of his friends; raised his enemies from the despondency of recent defeat into the highest tone of exultation, and diffused through all ranks of the community an opinion of his want of fitness for the high station to which he had been called. That emphatically the accident of an accident, without popularity, without a mind to conceive or a heart to execute great undertakings, he had chosen a position

of intense responsibility and universal observation, and committed himself to a hazard which even the wisest and boldest might contemplate with apprehension.

I do not say he has intentionally done all the mischief which has resulted from his course. I am not willing to impute to him such depravity. He is said to be, in private life, amiable, hospitable and courteous : but he is not the first man known to history who has presented the anomaly of blameless private life, exhibiting, on the stage of public affairs, a want of political integrity. Perhaps he may be relieved from some of the imputed excess of this delinquency, by ascribing his errors somewhat to a want of judgment, to an exorbitant vanity, and to the influence of bad advice : That he lacked the quality of attaching to him such friends as were indispensable to his position, and therefore had none of that kind. It is the calamity of high place that it stands most in need of that counsel which it is most apt to repel.

We may say of this President what Milton has said of another unhappy ruler, whose melancholy fate furnishes the most awful example on record of the danger in a Chief Magistrate violating his promises to the people,—“ that, for the most part, he followed the worser counsels, and, almost always, of the worser men.”

I do not profess to know who were his advisers. I only know that those whom public duty had placed around him, and who were eminently worthy of all trust, did not enjoy his confidence. While the press was full of annunciations, in advance, of his intentions, his Cabinet was generally ignorant of his views, or remarkably deceived in regard to them, on the greatest measure brought to the notice of his administration.

In the vain hope, it is believed, of raising up a third party, he came into direct collision with a majority of the nation ; and, by his conduct, heightened the common feeling of disappointment into the stronger emotion of indignation, provoked, in those who elected him, by a doubt which every one felt it painful to utter. The result was that irrevocable renunciation of him proclaimed in The Manifesto.

VIII.

THE TWENTY-SEVENTH CONGRESS.

DURING the Extra Session,—until that period when it became the President's cue, in the play he had proposed to himself, to break with the Whigs,—the administration organ was full of commendation of the activity with which Congress was answering the expectations of the Country.*

At the next session, a different game was found necessary. A systematic and incessant vituperation of the proceedings of Congress became a conspicuous device in the tactics of the Administration. The Legislature was daily assailed with every species of slander. No effort was spared to lessen it in the esteem of the nation. Detraction and falsehood did their worst to spread abroad an opinion that the majority of the Representatives of the people were faithless to their duty, because they could not receive their lesson from the Executive;—because they could not obey the dictation of a power that had already abandoned its trust and forfeited all claim to their confidence. They were charged with a factious spirit, when they stood firm in their endeavor to redeem the pledges they had given to the nation; and were aspersed with the accusation of being engaged in "President making," when they refused to co-operate in the absurd and frivolous scheme of glorifying John Tyler with a view to a second term. For this contumacy war was waged against the majority of both Houses by the Executive and his allies.

The most preposterous and odious claims of Presidential prerogative,—such as the country had witnessed in the worst days of the Jackson administration—

* "The House of Representatives is nobly responding to the popular voice."—*Madisonian*, July 22, 1841.

were revived : new claims, even, added. The Legislature was assailed directly by the President himself, as trifling with the public welfare and misspending its time over "petty schemes of hatred or ambition" instead of devoting it to "measures designed for general relief."*

The reproof of Congress, thus beginning with the President, was echoed from every servile press in his interest. It was repeated by every obsequious flatterer who had a motive to prove his fealty to the dispenser of government patronage. It became the theme of the thousand daily tirades by which the minions of the Executive throughout the land, lent their assistance to degrade the Representative body in the view of the people, and, in its degradation, to assail the representative principle itself. This, because the majority of Congress could not agree to receive their bills from the hand of the President,—their opinions from his suggestion !

The President, indeed, in no ambiguous terms, asserted the right to initiate acts of Legislation, and assumed to rebuke Congress for disregarding his recommendations ; made a display of what he had promulgated as *his* views,—what *he* would assent to and what *he* would not ; and claimed, in emphatic language, to be an integral, co-ordinate branch of the Legislature, affirming that the Constitution had given him, "for wise purposes, an active agency in all Legislation."†

I have no purpose to say more than I have already said, on the right of a President of the United States to control the action of the law-making power ; nor to comment upon either the propriety or the dignity of his animadversions in private letters, prepared for publication,—or in any other manner, official or unofficial,—against the members of the Legislative body for what transpires in the Legislative Halls. Much less am I inclined to expatiate upon that claim which pur-

* Letter of John Tyler to Joseph Graham, June 4, 1842.

† See his letter to Messrs. Harris and others of Philadelphia, July 2, 1842.

ports to make him a part of the Legislature, and to confer upon him the right to "an active agency" in its proceedings. These claims, after the signal denunciation which they have received from the master minds of the nation; after the stern judgment pronounced against them by the people; after the contempt with which they have been treated by Congress, need no farther sentence of condemnation. I dismiss them with the remark that they are utterly repugnant to all Whig doctrine, at least: abhorrent to all Whig practice: renounced and repelled as assumptions hostile not only to the principles of our government, but of all free representative government. They cannot subsist with the notion of an independent Legislature; are incompatible with the spirit of that elemental principle of Parliamentary Privilege which secures every representative from being questioned for what is uttered in debate. They are made in the tone and the temper of those pretensions of the Stuarts in English history, which brought about that famous recalcitration of the patriots of England who first defined and established the Liberty of Parliament, originated the Whig party, and won the triumph of 1688.

The old political adversaries of the Whigs, finding in these clamors against Congress, something that might be turned to account for themselves, joined in the scheme of vituperation: did all in their power to embarrass the proceedings of the majority, to foment the President's quarrel, to stimulate his vanity toward new aggressions, and to spread complaint among the people. They, the pretended Democracy of the nation, faithful to their original instincts, were busy to second and encourage the laudable design of the Executive in trenching upon and denouncing the popular Privilege as it existed in the independence of the Legislature! Truly, they were again on their old track!

Many good persons, at last, were brought to believe that Congress was actually chargeable with the sins which its original calumniator had laid at its door. This pertinacity of ceaseless imputation, which in

general seldom fails to secure some degree of credence to any calumny, wrought upon the belief of many credulous minds who were not naturally unfriendly to the Whigs.—The whole responsibility for whatever was charged against Congress, of course, fell upon the majority. The minority, by joining in the aspersion, went scot free—not only scot free, but found it a weapon to wound their adversaries. They played their part with great dexterity on the floor of Congress; uttered many pitiful, sanctimonious exclamations of horror at the sin of wasting the precious time, and still more precious money of the people, in the unpardonable enterprise of President making,—in the shocking neglect of Presidential advice,—in the contumacious censure of Executive usurpation! They affected to find another topic of invective in the rules which the majority had adopted for the despatch of business;—rules without which, amid these ceaseless efforts to impede the course of legislation, the majority could have done nothing. That golden “hour rule” especially,—the greatest improvement of our day, almost the essential condition upon which a numerous House of Representatives is rendered a practical body—was denounced with singular virulence and spleen, as a gag upon the constitutional freedom of debate. The people were said to be deprived of grave, fundamental rights, because the “weak, washy, everlasting flood” of parliamentary egotism was pent up within the confines which good sense, for the most part, voluntarily prescribes to itself. It is pleasant to perceive that, notwithstanding all the exaggerations which party eloquence has indulged against this rule, the country has failed to be convinced that the restraint it has placed upon the vice of overtalking in Congress is not founded upon a wise experience. The querulous declamation of its opponents has found no sympathetic answer among the people; and we may venture to foretell that this “hour rule” of the Twenty-seventh Congress will be preserved as long as the prurient appetite of inane discourse shall be reckoned among the

maladies of our Logocracy: it will be valued for the equal rights which it confers upon the effective business man of Congress and the importunate and active babbler who finds enjoyment in listening to the incessant cataract of his own voice.

Notwithstanding all that was said, and, at one time, partially believed, to the detriment of the Twenty-seventh Congress, it is singularly true, that, from the commencement of the Government down to the present day, there has never been assembled a National Legislature whose assiduity, within the appropriate range of its business, has been entitled to higher praise; none which has wrought more effectively; done so much. In the face of every impediment which a hostile Executive and a talented, mischief-making opposition could throw in its way, it has accomplished great and permanent good to the Country. It came to its task at a period when the public affairs were in a state of unexampled adversity—shattered and disjointed by a long system of improvidence: it found not only an empty treasury, but the sources of revenue shut up; and a determined and fierce spirit of opposition arrayed against any attempt to open them: it found the people laboring under the pressure of an almost universal bankruptcy: it found peculation and abuse in every department of public administration: it found the results of a thriftless prodigality in a heavy national debt, disguised and aggravated by issues of irredeemable government paper. Even under the most auspicious circumstances of harmonious co-operation from an able and faithful Executive, with every thing from that source to aid and nothing to embarrass, the difficulties of its position would have been such as the steadiest nerve and most skilful experience might have shrunk from without disgrace; but the darkness of its hour was increased by that extraordinary mischance which cast upon it an Executive without the will to assist, without the ability to do good,—with nothing to distinguish it, in fact, but its perverse power and purpose to do evil.

It was in the midst of such embarrassments that the Twenty-seventh Congress set about its work. With a constancy of patriotic effort never surpassed in our history, it maintained its faith through every trial, steadfastly pursued its aims with a most intelligent sense of its duty, and brought back the country to as high and palmy a state of prosperity as the faculties with which it was invested under the Constitution and not wrested from it by the Executive, allowed. If it failed to accomplish all that it desired and had proposed, the fault of this failure is not to be found either in its want of skill to plan or of labor to accomplish. The record of what was *undone* after the Legislature had done its work, and of what was frustrated after it was prepared, will supply a sufficiently plain account of that failure.

The enormous expenditure of the preceding administration has been reduced to little more than half its average annual amount ; gross abuses, which had heretofore grown up under the neglect or connivance of former Legislatures, have been fully explored and divulged ; speculation and fraud have been arrested ; the revenues have been restored ; collisions with foreign powers guarded against in future ; bankruptcy has been released from its deadly burden, and thousands of useful citizens have been recalled to active enterprise ; commerce has been put under every protection of law and restored to its ancient vigor ; mechanical industry has been sent back, cheerful and happy, to its deserted field ; agriculture, the foundation of the great mass of national wealth, has been encouraged to a renewed labor, by the gift of a thriving and prosperous market at home ; the great and invaluable principle of a District Representation—the safest and best guarantee which our government can offer of its faith to maintain the most precious right of Republican government, the protection, namely, of the minority by giving them their proper voice in the National Council,—has been secured, as far as the Twenty-seventh Congress could secure it by law. All these have been accomplished. If the currency has not been settled ; if the States

have been deprived of their just inheritance in the public lands ; if the district principle has not been effectually established, let the nation ask of Mr. Tyler and his new Democratic allies why these measures have not been secured.

What was achieved will long be remembered to the honor of the Whig ascendancy. The labors of the Twenty-seventh Congress will not be lost. For years to come the investigations, reports, plans and propositions of that Congress will furnish sure guides and aids to beneficent legislation in all the great departments of the public interest.

It has been one of the subjects of outcry raised against that Congress by its enemies, that it strove to carry its points by a Caucus : that it was under the domination of a Caucus dictatorship :

The point of this accusation is neither more nor less than that the Whigs met together for the purpose of adjusting their measures, before they presented them in the ordinary forms of legislation. This, in regard to many important measures, is true. It is not true, perhaps, as fully as it ought to have been. Under any circumstances, it is but a wise and useful practice for those having the responsibility and the control of legislation, to meet frequently together with a view to successful and efficient action. But in the peculiar position of the Whigs of the Twenty-seventh Congress ; with all the difficulties of the public affairs before them ; holding such relations as they held to the Executive ; opposed, as they were, by a dexterous party who had no principle of conduct but opposition to all and every Whig measure,—if this duty of consultation had been avoided or neglected by the majority, they would have been justly liable to whatever censure might attach to their want of success. They would have been regardless of their most obvious duty to the country.

As a ground of serious accusation, this attempt to excite hostility is merely ridiculous, and has therefore failed of its aim. It is worthy of notice only, from the

stress laid upon it by the President, and by his new Democratic friends, while the latter had a motive to flatter him. We may regard it as an abortive attempt to create a false odium, by the trick of an imputation which really had nothing odious in it, but which,—in accordance with the estimate of the intelligence of the people, familiar to the new-fangled, counterfeit Democracy of late days,—it was conceived very practicable to impose upon the public credulity as a heinous offence.—No party has ever practiced the Caucus discipline under more truly exceptionable conditions than those purists themselves: no party has ever carried it to the same length of denunciation against individual dissent and of proscription. While the Whigs of the Twenty-seventh Congress resorted to private consultation to mature their course of proceeding, with a view to the attainment of the greatest good to the country, in the alleviation of the public distress, their adversaries were no less diligently assembled in frequent caucus, to devise plans to thwart, obstruct and destroy. The malignant joy with which they contemplated each new embarrassment that arose; with which they cheered on the President to every act of obstruction; with which they lent their aid to defeat every valuable measure; and with which they lifted up the loud voice of exultation upon the accomplishment of any signal mischief, or the discomfiture of any signal good, will long be remembered against them in the future political contests of the people, and will swell the measure of retribution against them in that day of reckoning which is certainly at hand.

Again, we bide our time.

IX

THE NEW DEMOCRACY.—THE DICTATOR.—THE ARRAY
OF 1844.

I HAVE heretofore descanted, somewhat at large, upon the character and aims of the two great parties which divide the nation. The Whigs, I have shown, from their first organization up to the present moment, as standing upon the foundation of well-defined and well-understood principles of the deepest import both in the structure of our government and in the course of its administration. Their opponents,—those who now call themselves the Democracy—I have presented as a party compacted, so far as regards either their principles or their measures, of incongruous fragments, exhibiting the most opposite and heterogeneous views, and associated only upon personal predilections and interests: That this party was, in fact, originally organized upon the popularity of General Jackson; was composed of Federalists and Democrats,—Federalists making war against the old Democratic ascendancy;—Democrats renouncing the ancient landmarks of the party, and prepared to sanction any amount of Federal infusion into the policy of the administration: That, combined of these elements, it adopted and promulgated every variety of political sentiment which had ever been developed in the country. It pretended to no consistency of doctrine, but invariably studied the humor of the day, and espoused and discarded the most opposite and conflicting opinions, without even thinking it worth while to offer an excuse for its singular aberrations. It has alternately, during the term of its existence, advocated and rejected every

great measure of policy which has been agitated in the public councils. In the beginning of its career, it proposed the Single term, a national Government Bank, a protective Tariff, the distribution of the Surplus revenue, the surrender of the Public Lands, the limitation of Executive Patronage. In its progress it renounced every one of these measures. It has come, at last, to present the union of the most extraordinary political elements any country ever witnessed. They who were the authors of the Force Bill and the Proclamation are now ready to take for their President the Chief of Nullification,—he whom it was the object of the Force Bill and the Proclamation to reward with a halter; whom many of them were even anxious to visit with that distinction. They who were willing to sever the Union rather than submit to a protective Tariff, are now ready to abide the decree of a Convention which shall endeavor to place the Chief Magistracy in the hands of him who voted for the Tariff of 1828. They who supported General Jackson's recommendation in favor of a National Bank founded on the Revenues of the Government, claim the honors of supreme dominion upon their constitutional antipathy to a Bank in any form whatever. They who denounced the Sub-Treasury as "disorganizing and revolutionary," now commend it as a second Declaration of Independence.

It were useless to go through the catalogue. No imaginable freak of political ambidexterity that may be alleged, would more than excite a smile from a party which has not such intrepidity of dissimulation as to talk of its consistency. They who could consent to be driven into the fold and there unresistingly to await the lot which should consign them to the portion of Mr. Calhoun or Mr. Van Buren, just as the *legerdemain* of a caucus of politicians should dispose of them, are surely proof against all raillery on their political virtue.

The party was personal merely. Springing out of the renown of a Great Chief, and living by his will and on his breath, it will come to its dissolution even before he who founded it shall pay the debt of nature. As long as his influence was rife, it possessed the vigor which belonged to his character. As that influence wanes, in retirement and with advancing years that find subjects more congenial than the mean game of worldly ambition, the party gradually becomes shorn of its strength;—hastens to that inevitable doom to which discord and rival hate have, in all ages, consigned parties and communities that have “no other principle of cohesion than the hope of plunder.”—Not all the glory that encircled Charlemagne and his Paladins could save the dominion to his envious and quarrelsome successors. That most notable disaster of Fontenay, —where, say the historians, perished the whole force which had so often turned back the tide of Saxon war—occurred in the *second* reign after the emperor. It was the fatal result of an embroilment between *three* brothers, grandsons of the Western Cæsar, brawling for the empire. The vast domain of Charlemagne sunk into a petty province. The story is not without its moral. Another Fontenay is at hand.

The gravest charge which we have now to make against this strange Democracy is the supple support they have given to the present administration;—an administration they have lured to its ruin. They have extracted from it all the patronage it is able to bestow. As the price of this compliance, they gave it prompt encouragement in the worst acts of its malice against the Whigs; affected to applaud it for its treachery and to praise it for its vices. They have, through such means, succeeded in incorporating that administration in their party; have made themselves responsible for its misdemeanors. They must answer this responsibility to the country. They would, now, “cast it,

like a worthless weed, away," hoping in this tardy repudiation to escape the censure of their illicit intercourse. They may assume to deny it farther participation in their favors, now that it has nothing more to grant. But it is too late. They will not be allowed to shake off the connection merely because it ceases to be profitable. They have taken Mr. Tyler "for better," they must also hold to him "for worse," and abide the censure of the nation, not only for the mischief they have helped to do, but for having made an impure alliance for the sake of gain; for the hypocrisy and libertinism that have marked their whole career of seduction.

As to Mr. Tyler, our quarrel with him has lost all its significance in his feebleness. But as to the New Democracy, our motives to contest are even whetted and rendered more keen by the injury they have sought to inflict upon us, in tampering with the President's weakness, inflaming his hate and encouraging his apostacy,—conduct less pursued from any hope of benefit to them, than from a meditated design of evil to our cause. In this we have strong motive to renewed hostility, the effect of which will be felt when we take the field. The country, if we are not deceived, will resent this recklessness to the public welfare, and will not hold a party excused whose zeal to destroy had led it to forget its more obvious duty of preserving what is good.

Our quarrel, therefore, is with Locofocoism,—not with Mr. Tyler. If we had no other griefs to complain of than his desertion; if no enemy but him, we should congratulate ourselves upon the riddance of a man who never had the faculty to do us service, and whose alienation was to be accounted but a fortunate event. We should merely have preserved silence.

But we pay our adversaries the compliment to say, that, as yet, their organization, their numbers,

their purposes, their means of warfare,—more than these,—the assiduity and the craft of their misrepresentations, furnish cogent argument why we should make our case understood; furnish the most authoritative reasons why we should write and publish *A DEFENCE OF THE WHIGS*.

The time is nearly come when we shall raise our banner in another Presidential contest. We shall take care that there be no mistake in our men. In part, it may be said, we have already taken care of that. The Whigs, with one consent; with a unanimity, almost without parallel in history, have turned their eyes to one man in this nation who will, assuredly, if Providence spares him for the contest, be the Leader of our Host.—Even he The Dictator,—the great Champion of Constitutional right,—the personation of every public Virtue,—genuine image of the Whig Sentiment—*THE MAN OF THE UNION*,—HENRY CLAY, will lead our Host. To him the hand of the general Whig Party points, as to our Cynosure: Hand guided by the Heart of every Whig of the Land.

Our adversaries, in reproach, call him *THE DICTATOR*. We take the word, and will turn their reproach to honor.—Happy is it for that nation that holds within its confines one man, in whose sagacity and pure purpose there is such pervading faith that his counsel shall acquire the authority of a dictate; toward whom such general trust abounds, that the volunteer public deference shall receive his advice as a parental command! Glorious reward of stainless patriotism! Happy homage to Wisdom and Virtue!—Dictator, such as this, the Country once had—but once.

What more enviable chaplet can be woven for man's brow than such a testimony? That Henry Clay, a private tiller of the soil; unostentatious citizen; with no official power; all the power of the Executive government,—the Gift-giving power—arrayed against him; simply attired in his own

virtues, illustrated only by his deeds—should thus sway the affections of the Republic, thus move “the wilderness of free minds!”—What richer memorial of a patriot’s worth than this?

Would, that our fortunate Commonwealth may never find other Dictator than such as he!—had never found other!

Illustrious living inheritance is ours in such a man. Auspicious is it for the Whig party that with such prompt and generous accord, we fix our thoughts upon him. That of the thousands worthy, none may stand in rivalry with him, worthiest of all.

It were a small labor to write his vindication against the calumnies of enemies. They but prove how much he is loved, how much feared. If nothing were said against him, his fame would want one testimonial to his eminent worth. It would leave him under the suspicion of a tame mediocrity which, less than of any man in this Union, is his. Standing, as he does, before the world, an impersonation of the principles of the Whig party, he shares with them the enmity of many foes:—perhaps, it would be more just to say, opposition of adversaries, rather than enmity; for there is admitted to be a frank and generous gallantry in his nature which, for the most part, disarms political hostility of personal ill-will, and extorts from those who are arrayed in adverse ranks, a liberal confession of respect; even nurses a secret wish,—and indeed often prompts the open expression of it,—that, party difference aside, his companionship were theirs.

Still he has foes,—foes to his fame and name. We must look for these, chiefly, in the purlieus of the White House. There, his great sin would seem to be, that he could not surrender his convictions of duty at the footstool of power. If he could have consented to offer the incense of flattery there, and joined with those who sought to break up the Whig party for the sake of elevating

themselves, we should, perhaps, have heard nothing of a Dictatorship; but only praises to the man whose flexible conscience could have been turned to such profitable account.

Mr. Clay presents, as guardian of his faith, the glory of a life of eminent desert—desert dearer to him than all renown. In this, the evening of his days, he looks back from an eminence, far more exalted than any official station, upon a brilliant career of usefulness to his country, rendered more brilliant by great talents guided by the utmost purity of motive and consistency of purpose to the promotion of national happiness. In that retrospect he finds only ever fresh incentives to persevere in the course he has pursued. His life is an epic of grand achievements which have never been tarnished by servility of opinion to any man however distinguished. Few could have meditated such an insult to his fame as to expect that he would forfeit his title to this praise for the sake of conciliating the favor or averting the malevolence of John Tyler.

His offence is that he misapprehended the character of the man whom the Constitution has intrusted with the Veto, and deemed it impossible that the President could do that which the public welfare, the public opinion and his own declarations had authorized the country to believe he would not do. It is that he preferred to adhere to his faith rather than bend to the purpose of a versatile Chief Magistrate whom no man could believe because no man could find him twice in the same opinion; who, in the intoxication of sudden preferment, fancied himself clothed with a heavenly mission, of which the chief purpose, as far as we can gather it from his acts, was to disband and discard his first friends and prolong his unhappy power, through the aid of new combinations which were not possible consistently with any theory of fidelity to the trust implied in his election.

For these offences, chiefly, has Mr. Clay been denounced. The denunciation will scarcely ruffle the serenity of his temper. He yet survives, tranquil in the privacy of Ashland, where each hour of his life brings him more content than a whole century of the mawkish sycophancy which trails after the King of Shreds and Patches in the White House.

Among all other classes of political adversaries Mr. Clay is treated as a generous opponent. No one imputes to him concealment of opinion, evasion of the full responsibility of his position, or ambiguity in relation to any public measure. There needs no proclamation to announce the exact issue put in controversy, when Mr. Clay's name is inscribed upon our flag. In those letters will be read the whole Whig formula of doctrine. Go back to 1816 and follow his ample history up from that day,—then say if he has retracted one sentiment of public duty, renounced one matured opinion of what is necessary to the public good. While the tide of changing events has swept the most conspicuous of his adversaries along its heady current into every latitude of doctrine, it has swept by him, fast anchored on the rock of his political faith, and finds him, to-day, the same champion of popular right that it found him when he stood by Mr. Madison the sturdiest of his supports. They call him a Federalist. Even the ancient Priests of that Faith, now refulgent in the robes of the New Democracy, brand him with that epithet, as the most poignant opprobrium they can heap upon his name. We may truly say, Mr. Clay's democracy is not of the complexion which they profess. But it is the democracy of him they hated most when living, they most affect to praise when dead,—the Democracy of Madison.—Such is the Democracy of the Whigs.

It is an unprofitable contention which dwells merely upon names. We may permit our oppo-

nents to assume what disguise, in this sort, may best answer the stratagem of their war. We look to things rather than to this bawble of a name. In the hope to secure a fundamental good to present and future generations, by curbing the pernicious extravagance of Executive authority, pushed, as by late precedent it has been, to the unwholesome verge of monarchical power ; by giving its appropriate scope to the Representative principle ; and, above all, by securing the Will of the People, expressed in their Legislature, against the caprices of Presidents or the faction of Parties,—we resume our array and throw ourselves upon the arbitrament of the Nation. Contending for these, and for a system of measures long proclaimed and thoroughly understood, we desire to be known by that appellation which is historically associated with our aims, and which is illustrious in the annals of Constitutional Liberty, on both shores of the Atlantic, as indicating the friends of PRIVILEGE in opposition to the friends of PREROGATIVE.—Such are the Whigs who are now gathering for the strife of

1844.

THE END.

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